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OF THE

GENERAL ASSEMBLY

OF THE

STATE OF PENNSYLVANIA,

PASSED AT THE SESSION OF 1860,

IN THE

EIGHTY-FOURTH YEAR OF INDEPENDENCE.

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WITH AN APPENDIX.

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HARRISBURG:

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L A W S  
OF THE  
COMMONWEALTH OF PENNSYLVANIA.

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No. 1.

A FURTHER SUPPLEMENT

To an act to authorize the Governor to incorporate the Wilkesbarre Water Company, approved the twelfth day of February, one thousand eight hundred and fifty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the said the Wilkesbarre water company shall have three years, from and after the twelfth day of February, one thousand eight hundred and sixty, to complete their water works now in progress.*

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The eleventh day of January, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

## No. 2.

## A SUPPLEMENT

To the charter of the Continental Hotel Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the managers of the Continental hotel company be authorized to issue bonds, with or without coupons, for such an amount as may be necessary to finish said hotel, on Chestnut, Ninth and Sansom streets, Philadelphia, and to pay all debts contracted for such purpose, and the payment of ground rent; such bonds to be in sums of not less than one hundred dollars, nor for any fractional part of such sum, which shall be secured by a mortgage to be made by the managers upon said premises, to one or more trustees, and made payable in such times as may be fixed by the managers, with interest at a rate not exceeding eight per centum per annum; and it shall be the duty of the managers to pledge, in said bonds and mortgage, all the rents of said hotel, and of the stores on said premises, after paying ground rent, taxes and other annual expenses, for the security of said bonds; and until such bonds shall be paid in full, principal and interest, no dividends shall be paid to the stockholders of the said company.*

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The thirteenth day of January, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

## No. 3.

## AN ACT

Relative to Assistant Controller of the city of Pittsburg.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

the controller of the city of Pittsburg be and he is hereby authorized to appoint, subject to the approval of the finance committee of the councils of said city, for the time being, a suitable person as assistant controller, who shall have authority to perform all the duties of the controller in case of his necessary absence on account of sickness or other inability to attend to the duties of the office in person. The assistant controller shall take and subscribe the same oath as the controller, and be subject to the same penalty for a violation thereof: *Provided*, That the compensation of the said assistant shall be paid by the controller, who shall be responsible for all the official acts of his assistant, in the same manner as if the same had been done by himself in person.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The sixteenth day of January, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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#### No. 4.

### A SUPPLEMENT

To the act to incorporate the Paddy's Run Bridge Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Paddy's Run bridge company be and they are hereby authorized to increase their capital stock to an amount not exceeding ten thousand dollars; and the bonds authorized to be issued by the act of the twenty-fifth day of February, one thousand eight hundred and fifty-nine, may be converted by the holders thereof into the capital stock of said company, at par: Provided, That no bond hereby authorized to be issued by said company shall be for a less sum than one hundred dollars.*

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of January, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 5.

## A N A C T

Authorizing the Auditor General to open and re-settle the account of William S. Calohan, late Superintendent on Portage Railroad.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the auditor general be authorized to open and re-settle the account of William S. Calohan, late superintendent of motive power and supervisor of repairs, &c., on Allegheny Portage railroad, and to allow such credits as equity and justice in the case indicate.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The eighteenth day of January, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 6.

## A N A C T

Relating to the selling of the repairing of the Public Roads in certain townships in Schuylkill county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* hereafter the qualified electors of each of the townships of Reilly, Cass, Foster, Butler, Norwegian, New Castle, Mahanoy, Rush, Blythe, Schuylkill and East Norwegian respectively, in the county of Schuylkill, shall elect but one supervisor instead of two; and each of the supervisors so elected as aforesaid shall give bond, with security, as provided for in first section of the act of the seventeenth day of February, one thousand eight hundred and fifty-nine, entitled "An act to secure a stricter ac-

Certain townships to elect but one supervisor.

To give bond.

countability of certain public officers in Schuylkill county," for the faithful performance of their duties, respectively; and said supervisors shall, after having given at least two weeks' notice of the time and place by advertisement in one English and one German newspaper published in the borough of Pottsville, in said county, and by putting up at least six written or printed notices in as many of the most public places in different parts of their respective townships, within the month of March of each and every year, give out by public outcry, to the lowest and best bidder, the making and repairing of all the then existing public roads in their respective townships for the ensuing year; in one lot, where there are not more than twenty miles of road in a township, and in two divisions, where there are more than twenty miles. All new roads required to be made from time to time in said township shall be let in the same manner.

To advertise the selling of the repairing of public roads, &c.

Lowest bidder to have contract.

New roads, relative to.

SECTION 2. The payments under the contracts provided for in the first section of this act to be made to the contractor or contractors monthly, by the supervisors drawing orders, countersigned and registered in the manner now provided by law, in favor of the contractors, on the township treasurer, for the estimated amount of work done in the previous month: *Provided*, That the said supervisors are hereby required to view and inspect the making and repairing of the public roads in said townships respectively, at least once during every month, and be fully satisfied, before payment be made, that the contractors have fully complied with their contracts; for which services so rendered, each of said supervisors shall receive a compensation not exceeding seventy-five dollars a year, to be determined by the auditors of the said township respectively.

Payments to contractors, relative to.

Proviso.

SECTION 3. Each purchaser or contractor of roads shall, before entering upon his contract or contracts, file with the supervisor a bond, approved of by the auditors of each township respectively, with sufficient security to the amount of his or their contract or contracts, for the faithful performance of his or their duties, to keep the roads in good repair, and save and keep the townships harmless from damages in consequence of accident from neglect in keeping the roads in good condition.

Contractors to give bond.

SECTION 4. If the lowest bidder at a supervisor's sale or letting should fail to comply with the conditions of such sale or letting, then the next lowest bidder, who shall have signed the conditions thereof, shall be entitled to receive the contract; or if the second lowest bidder should not comply with the terms, and if any other bidder shall comply and take the contract, then the lowest bidder shall be liable for the difference between his bid and the sum which has actually to be paid for the contract: *Provided*, That no township officer shall be entitled to be a contractor of roads in any of the said townships, or be interested in any contract whatever.

Proviso.

SECTION 5. Any violation of any of the provisions of this act by any contractor, supervisor or other township officer, shall be deemed a misdemeanor, and may be prosecuted by indictment, and punished by fine or imprisonment, or both, at the discretion of the court.

Penalty for violating provisions of this act.

SECTION 6. That all acts and parts of acts of the general assembly inconsistent herewith, be and the same are hereby re-

Repeal.

## LAWS OF PENNSYLVANIA,

pealed, so far as the same relates to the townships named in the first section of this act.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The nineteenth day of January, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 7.

## A N A C T

To enable the Executor of the will of Susan Cochran, deceased, to transfer certain stock.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the executor of the last will and testament of Susan Cochran, late of the borough of Beaver, in the county of Beaver, deceased, (or in case of his death or discharge, the administrator de bonis non with the will annexed,) shall have power, and he is hereby authorized to transfer to Zadock Cramer Cochran, James S. Cochran and Mary E. Cochran, only children, and sole legatees of the said Susan Cochran, deceased, all the remaining unsold stock in the Bank of Pittsburg, bequeathed by the said Susan Cochran, in her said will, to her children, the said Zadock Cramer Cochran, James S. Cochran and Mary E. Cochran, in the same manner and proportions of shares as by the said will the said stock is bequeathed to them; to have and to hold the said stock in the several proportions bequeathed to them absolutely, in their own right, and with power to sell and transfer the same at their pleasure, absolutely, and freed and discharged from any right of survivorship among each other, and from any limitation to their issue unborn at the time of the said transfer to them: Provided, That at the time of the said transfer to them, they shall deliver to the said Bank of Pittsburg their written consent to the terms and purposes of this act.*

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The nineteenth day of January, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

## No. 8.

## A N A C T

To authorize the appointment of an additional Notary Public in Cumberland county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the governor be and he is hereby authorized to appoint one additional notary public for the county of Cumberland, who shall reside in the town of Mechanicsburg, in said county.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-fourth day of January, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 9.

## S U P P L E M E N T

To the act incorporating the Mutual Fire Insurance Company of Sinking Springs, Berks county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the proviso to the first section of the act, entitled "A supplement to the act incorporating the Mutual fire insurance company of Sinking Springs, Berks county," approved the thirteenth day of April, Anno Domini eighteen hundred and fifty-nine, be and the same is hereby repealed.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-fourth day of January, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.



## No. 10.

## A SUPPLEMENT

To an act to incorporate the Howard Fire and Marine Insurance Company, passed the twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That it shall and may be lawful for the directors of the Howard fire and marine insurance company to reduce the capital stock of said company from six hundred thousand dollars to two hundred thousand dollars, to be composed of six thousand shares of thirty-three dollars and thirty-three cents and a third each: Provided, That before any such reduction shall be made, the written consent thereto of stockholders owning a majority of the stock of said company, shall be filed in the office of said company.*

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-fourth day of January, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

## No. 11.

## AN ACT

To change the time of holding the Annual Meeting and Election of the Hartsville and Centreville Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the annual meeting and election of the Hartsville and Centreville turnpike road company be hereafter held on the second Monday of November in each year; and that so much of the act of assembly, approved January twenty-second, one thousand eight hundred and forty-nine, entitled "An act regulating turnpike and plank road companies," as is hereby altered or sup-*

plied, be and the same is hereby repealed, so far as the same relates to the said Hartsville and Centreville turnpike road company.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-fifth day of January, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 12.

## A SUPPLEMENT

To the act incorporating the Woodward Hill Cemetery, passed the twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That at the next annual election for managers of the Woodward Hill cemetery, and annually thereafter, the lot owners shall elect nine managers of the said corporation, instead of twenty-five, the number designated in the act to which this is a supplement.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-fifth day of January, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

## No. 13.

## A SUPPLEMENT

To the act to divide the borough of Scranton into two wards, approved the seventeenth day of March, A. D. one thousand eight hundred and fifty-nine.

Persons aggrieved may appeal from the levy of certain tax.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* from any additional or special tax laid by the burgess and town council of the borough of Scranton, under and by authority of the tenth section of the act to which this is a supplement, an appeal shall lie, by any person aggrieved, to the court of quarter sessions of Luzerne county, by filing a bond, with at least one sufficient surety, in the name of the burgess and town council of said borough, with the clerk thereof, in the penalty of fifty dollars, conditioned that he shall prosecute his appeal with effect, and pay all costs that shall accrue in the event of his being cast in his appeal.

Appeals, relative to in the court of quarter sessions.

SECTION 2. That in all appeals under this act, the court of quarter sessions shall take such order in the premises, as to the mode and time of trial, as in its judgment shall best subserve the ends of justice: *Provided*, That no appeal shall be entertained in any case when such tax has been actually paid without protest before the appeal was asked for.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-fifth day of January, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

## No. 14.

## AN ACT

To change the place of holding elections in Taylor township, Fulton county.

WHEREAS, It has become necessary to change the place of holding the general and township elections in Taylor township, Fulton county, and no court of quarter sessions will be held in

said county before the time of holding the next township elections; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the general and township elections in the township of Taylor, county of Fulton, shall be held at the house of David Leidig, now occupied by William Hinkle.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-fifth day of January, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

## No. 15.

### A FURTHER SUPPLEMENT

To an act to incorporate the town of Ashland, partly in Schuylkill and partly in Columbia county, into a borough, approved the thirteenth day of February, Anno Domini one thousand eight hundred and fifty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter the borough of Ashland shall consist of two wards, the line separating said wards to commence at the northern boundary of said borough, and to be a direct line extending through the middle of Ninth street to the southern boundary of the same; all that portion of said borough lying west of said line to be called the West ward, and all that portion lying east of said line to be called the East ward.

Borough to consist of two wards, boundaries of.

Names of wards.

SECTION 2. That at the borough election next ensuing the passage of this act, the citizens of each of said wards shall elect two citizens to be town councilmen for two years, and two to be town councilmen for one year; and at every such election thereafter shall elect two citizens to be town councilmen for two years.

Council, election of.

SECTION 3. That at the said election the citizens of each of said wards shall elect one citizen to be school director to serve for three years, one to serve for two years, and one to serve for one year; and at every such election thereafter shall elect one citizen to serve as school director for three years.

School directors, election and terms of.

Where elections  
to be held.

SECTION 4. That in the West ward of said borough the election polls for all elections shall be at the public house now kept by Peter Keller, and in the East ward at the public house now kept by Michael Horan.

Repeal.

SECTION 5. That any provision of the present charter of the said borough of Ashland, hereby altered or supplied, be and the same is hereby repealed.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-fifth day of January, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 16.

## AN ACT

To erect the borough of Bridgewater, in the county of Beaver, into a separate Election District.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the borough of Bridgewater, in the county of Beaver, shall hereafter constitute a separate election district; and the general, special and borough elections in said borough shall be held at the town hall in said borough; and that the qualified electors of said borough shall elect one judge and two inspectors of the general election, at the same time fixed by the charter of said borough for the election of borough officers.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-sixth day of January, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

## No. 17.

## A SUPPLEMENT

To the act to incorporate the South-Western Market Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the directors of the South-Western market company to locate their market at such a point as they may deem expedient: *Provided,* The same shall be south of Market street and west of Eighth.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-sixth day of January, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

## No. 18.

## SUPPLEMENT

To an act to incorporate the Port Kennedy Railroad Company, of Montgomery county, approved the eighth day of March, one thousand eight hundred and fifty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of section second in said act as makes the capital stock to consist of three thousand shares of fifty dollars each, be and the same is hereby repealed; and that the capital stock of said company shall consist of three hundred shares of fifty dollars each.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-sixth day of January, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 19.

## A N A C T

To change the name and location of the Buffalo Coal and Iron Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Buffalo coal and iron company shall be hereafter known by the name of the Continental coal company, and may be organized and located in the county of Luzerne instead of the counties mentioned in the original act, and shall enjoy all the rights and privileges in that county, which were authorized to be enjoyed in the counties named in the act approved the nineteenth day of April, Anno Domini one thousand eight hundred and fifty-six, to which this is a supplement.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-sixth day of January, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 20.

## A N A C T

To incorporate the Clarion and Jefferson Line Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

Commissioners.

Style.

Route.

G. W. Arnold, Samuel Garwin, John Potter, Samuel Johnston, Hugh Maguire, Thomas Young, Isaac Jones, Andrew Carney, Samuel D. Kennedy, J. M. Fleming and Robert M. Corbett, or any five of them, be and they are hereby appointed commissioners to open books, receive subscriptions, and organize a company by the name, style and title of the Clarion and Jefferson Line turnpike road company, with power to construct a turnpike road, partly clay or partly stone, or all of either, from the Clarion river to the Jefferson county line, west of and adjoining the village of Corsica, on or near the bed of the present road,



with full power, however, to change the location of the same, (except so much of said road as is within the limits of the boroughs of Clarion or Strattenville, unless the consent of the councils shall have first been obtained,) so as either to shorten the distance or improve the road for traveling purposes, subject to all the provisions and restrictions of an act regulating turn-pike and plank road companies, passed January twenty-sixth, one thousand eight hundred and forty-nine, and the several supplements thereunto. Subject to.

SECTION 2. That the capital stock of said company shall consist of one hundred shares of ten dollars each: *Provided*, That the said company may, from time to time, at a meeting of the stockholders called for that purpose, increase their capital stock to such an amount as in their opinion may be required to finish said road, according to the true intent and meaning of this act. Capital. Proviso.

SECTION 3. That said company may commence their road at any intermediate point; and whenever said company shall have finished two and one-half miles or more of said road, they shall have power to erect gates thereon, and the privilege of charging and receiving tolls for the fractional part of a mile traveled, and not to be liable for the fractional part of a cent in making change: *Provided*, That said tolls be agreeably to the conditions and restrictions of sections twelve and thirteen of the act of twenty-sixth January, one thousand eight hundred and forty-nine. Gates and toll. Proviso.

SECTION 4. That said company may borrow any sum of money not exceeding two thousand dollars, for the purposes of finishing said road, at an interest not exceeding seven per centum per annum, and secure the same by a mortgage on said road: *Provided*, That no bond issued for any money so borrowed, shall be for a less sum than fifty dollars. May borrow money. Proviso.

SECTION 5. That if said company shall not commence the construction of the said road within two years, and finish the same within three years thereafter, this act shall be null and void, except so far as may be necessary to settle up the affairs and pay the debts of the company. Limitation.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The thirtieth day of January, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

## No. 21.

## A FURTHER SUPPLEMENT

To an act to incorporate the Point Breeze Park Association, approved February eighth, one thousand eight hundred and fifty-five.

Certain act extended to.

Proviso.

Certain act extended to.

Majority of members to approve of this act.

Proviso.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* so much of the second section of an act, approved the twentieth day of February, one thousand eight hundred and fifty-eight, entitled "An act to incorporate the New Castle Park association, in Lawrence county," as confers upon the said association the right of admission to exhibitions to annual subscribers, and to all other persons, be and the same are hereby extended to the Point Breeze Park association, in addition to the privileges heretofore granted them: *Provided, That* the right of admission hereby extended shall be confined to subscribers to spring and fall exhibitions, on such terms and conditions as may be prescribed by the board of directors.

SECTION 2. That the rights and privileges granted in the eighth and ninth sections of the aforesaid act, shall be and are hereby extended and granted in like manner to the aforesaid the Point Breeze Park association.

SECTION 3. That this act shall not go into effect unless approved by a majority of members present at a meeting called for that purpose, notice of which shall have been given to each member at least one week previous to such meeting, and which notice shall have appended to it the supplement hereby granted: *Provided, That* a majority, in like manner, at any time subsequent to its acceptance, may, at a meeting duly notified and called for that purpose, suspend all or any of the privileges hereby granted, until resumed by a majority, as is herein directed.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The thirtieth day of January, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 22.

A N A C T

To incorporate the Gettysburg Gas Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* D. M'Conaughy, Henry Wantz, A. D. Buehler, H. J. Stahle, Michael Jacobs, F. D. Carson, George Shryock, James F. Fahnestock, F. A. Muhlenberg, W. A. Duncan, George Arnold, Robert M'Curdy, R. G. M'Creary, David Wells, H. S. Huber, Charles Horner, J. B. Danner, S. R. Russell, Robert G. Harper, John T. M'Elhany, George Swope, John Gilbert, David Zeigler, William Douglass, and their successors and associates, be and the same are hereby made and constituted a body politic and corporate, by the name, style and title of the Gettysburg gas company, to be located in Gettysburg, Adams county; and by the said name they and their successors shall and may have perpetual succession, and shall be in law capable of suing and being sued, pleading and being impleaded, in all courts and judicatories whatever, and also of contracting and being contracted with, relative to the business and objects of said corporation, as hereinafter declared; and they and their successors may have a common seal, and may change and alter the same at pleasure, and shall have power to lease and purchase, in fee simple or otherwise, such real estate as may be necessary for carrying on the business of said corporation, and in their corporate name to borrow money, and to make and execute obligations for the liabilities created in the transaction of said business of the corporation.

Corporators.

Style.

Privileges.

Seal.

Real estate.

May borrow money.

SECTION 2. That the said corporation shall have exclusive authority to supply with gas light the borough of Gettysburg and its vicinity, in the county of Adams, and such persons, partnerships and corporations residing therein as may desire the same, at such price as may be agreed on; and also to make and erect, within or adjacent to said borough, the necessary buildings, machinery and apparatus for manufacturing and distributing the same, with the right to enter upon any public street, lane, alley or highway, for the purpose of laying down pipes, altering, inspecting and repairing the same, doing as little damage to said streets, lanes, alleys or highways, and impairing the free use thereof as little as possible.

Powers.

SECTION 3. That the capital stock of said corporation shall be fifteen thousand dollars, to be divided into shares of fifty dollars each, and may be increased from time to time, not to exceed thirty thousand dollars, as the managers thereof shall deem necessary; for all of which stock certificates shall be issued, signed by the president and countersigned by the secretary, and sealed with the common seal of said corporation; which certificates shall be transferable only by the owner thereof, or by attorney

Capital stock.

May increase capital and issue certificates.

Transfer.

## LAWS OF PENNSYLVANIA,

duly authorized for that purpose, in the presence of the president or secretary, in a book kept for that purpose by said corporation.

**Organization.** SECTION 4. That the said named persons, or a majority of them, as soon as two hundred shares of stock are subscribed, shall give at least two weeks' previous notice, in at least two newspapers published in said borough, of the time and place by them appointed for the subscribers to meet in order to organize the said company; and to choose, by a majority of votes of the said subscribers, by ballot, to be given in person or by proxy, duly authorized, a president and six managers, to serve until their successors shall be duly elected, which shall be annually on the first Monday in March thereafter; and said managers shall have power to select a secretary and treasurer, to serve for the same term; and the manner of conducting said election shall be prescribed in the by-laws of said corporation; and at all elections the stockholders shall be entitled to one vote for each share of stock not exceeding ten shares, and one vote for every five shares exceeding that number *bona fide* held by him, her or them, in their own right, or as trustees, executors or administrators at the time of holding said election.

**Election of officers.**

**Votes.**

**By-laws.** SECTION 5. That the board of managers of this corporation shall have power to make by-laws for their own regulation, not inconsistent with the laws of this commonwealth, and shall keep minutes of their proceedings, which shall at all proper times be open to the inspection of the stockholders, and all such acts and things for the proper regulation and government of the corporation as they may deem necessary; they shall have power to declare dividends of so much of the net profits of the corporation as shall appear to them to be advisable, and at such times as the by-laws shall fix, which shall be paid to the stockholders on demand, ten days after the same shall have been declared.

**Dividends.**

**Penalty for opening communication into gas main or other pipes.** SECTION 6. That if any person or persons shall open a communication into the gas main or other gas pipes of the said company, without authority from the proper officer thereof, or shall let on the gas after it has been stopped by order of the company or its authorized agent, or use any gas without drawing it through the meters put up for the purpose of measuring the same, or shall put up any pipes or burners without having the same inspected and approved by the proper officer appointed by the corporation to inspect, at proper times and under proper circumstances, the pipes, meters, burners, &c., put up in any building, he, she or they so offending shall be subject to a penalty of not less than twenty nor more than eighty dollars, to be recovered before any justice of the peace as debts under one hundred dollars are recovered, one-half to go to the informer, who shall be a competent witness, the other half to the company.

**Penalty for injuries to works.** SECTION 7. That if any person shall wilfully or maliciously do, or cause to be done, any act or acts whatever whereby any building, construction or works of said company, or any gas pipe, gas post, burner or reflector, or any matter or thing appertaining to the same, shall be stopped, obstructed, injured, contaminated or destroyed, the person or persons so offending shall be considered guilty of a misdemeanor, and may be therefor indicted in the court of quarter sessions; and on conviction there-

of, shall be punished by a fine of not less than ten nor more than five hundred dollars, or be imprisoned for a period of time not less than ten days nor more than one year, or both, at the discretion of the court: *Provided*, That such criminal prosecution shall in no way impair the right of said company to a full compensation in damages by a civil suit. Proviso.

SECTION 8. That the provisions of the act of assembly, entitled "An Act to provide for the incorporation of gas and water companies," approved the eleventh day of March, A. D. one thousand eight hundred and fifty-seven, except in so far as they are supplied by or are inconsistent with this act, are hereby made applicable to the Gettysburg gas company, to be incorporated under this act; and the said company shall be clothed with all the immunities contained in said act. Subject to.

SECTION 9. That the stock of said company shall not be subject to taxation for any other than state purposes. Taxation.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-fourth day of January, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

### No. 23.

## A SUPPLEMENT

To an act to incorporate the Pittsburg Gas Company, approved the sixteenth day of March, Anno Domini one thousand eight hundred and forty-eight.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Pittsburg gas company shall have power to increase the capital stock of said company to any sum not exceeding six hundred thousand dollars. Authorized to increase capital stock.

SECTION 2. That the management and control of said company shall be vested in nine trustees, who shall be citizens of Pittsburg, and stockholders in said company, and who shall be elected in the following manner: The six trustees now in office, who were chosen by the stockholders, viz: John Holmes, Joshua Hanna, George Black, Nathaniel Holmes, Jr., Thomas Bakewell and Robert Beer, shall remain until the expiration of the terms for which they were elected, and until the first Monday of October thereafter; and within sixty days after the accept- Management and control, relative to.  
Election of trustees.  
Terms of office.

Special election.	ance of this act, a special election shall be held at the office of the company, between the hours of two and five o'clock, P. M.,
Additional trustees.	at which the stockholders, in person or by proxy, shall elect, by ballot, three additional trustees, whose terms of office shall expire respectively on the first Monday of October, in the years
Terms, when to expire.	one thousand eight hundred and sixty, one thousand eight hundred and sixty-one, and one thousand eight hundred and sixty-two; and immediately after such election the six trustees elected
Trustees elected by councils, relative to.	by the councils, then in office, shall retire from the board of trustees, and the right of the city councils to appoint trustees of said company shall cease; and on the first Monday of October, after the passage of this act, and on the same day annually thereafter, an election shall be held at the office of the company, in the manner aforesaid, for the purpose of electing three trustees to serve for three years, in the place of those whose term shall have expired, and also to fill any vacancies that may have occurred during the previous year. At all such elections each share of stock shall entitle the holder to one vote; but no vote shall be received for any share of stock upon which any installment is due, and remains unpaid. All elections shall be held under the directions of a committee of three stockholders, appointed by the trustees, and two weeks' notice of all elections and general meetings of stockholders shall be given in at least two daily newspapers in the city of Pittsburg. The trustees shall supply any vacancy that may occur in the board, by appointment, until the next annual election: <i>Provided</i> , That a failure to elect trustees at the time appointed shall not forfeit the charter, but such election may be held on a subsequent day, and the trustees shall continue in office until their successors are elected.
Vacancies.	
Votes.	
Elections, how held and conducted.	
Notice of election and general meetings to be published.	
Proviso.	
When trustees to meet for the election of officers.	SECTION 3. That the said trustees shall meet within three days after their election, and shall choose by ballot, from their own number, a president and secretary, who shall perform the duties usually performed by such officers, and shall serve for one year, or until the next annual election. Five trustees shall constitute a quorum for the transaction of business, but it shall require the consent of six to declare a dividend, change the price of gas, or to authorize an increase of the capital stock. The said trustees shall have power to purchase materials, make contracts, and employ such engineers, workmen and agents as may be necessary to carry on the business of the company; but no contract shall be made or expenses incurred to exceed the amount of the stock subscribed; they may call meetings of the stockholders whenever desirable, at which meetings the president and secretary of the board shall act in similar capacities; they shall also have power to adopt by-laws for the government of said company. The said trustees, or their agents, shall have power, and they are hereby authorized, to open any of the streets, roads or alleys of the city of Pittsburg, the borough of Lawrenceville, or the city districts, for the purpose of laying pipes therein, and introducing a supply of gas from such pipes: <i>Provided</i> , Such openings in the streets, roads and alleys shall be closed, and the pavements replaced thereon, without unnecessary delay, in a satisfactory manner. They shall also have the power to regulate the price of gas furnished to private consumers, but such
Terms.	
Quorum.	
Dividends, price of gas, increase of stock, &c.	
Powers of trustees.	
Meetings.	
By-laws.	
Laying of pipes	
Price of gas, &c.	



price shall not exceed one dollar and sixty cents for each one thousand cubic feet of gas; and they shall make and prescribe proper rules and regulations for the supply thereof. All ordinances and regulations of the city of Pittsburg, necessary for the protection of the works, mains, lamps and other fixtures of the company from accident or mischief, shall be continued in force, as well as all ordinances forbidding interference with the water pipes and nuisances from the gas works. The trustees shall keep accurate accounts of their receipts and expenditures; and one month before each annual election shall publish, in pamphlet form, a full report of their proceedings for the previous year, and furnish a copy thereof to each member of the city councils.

Receipts and expenditures.

SECTION 4. The trustees shall declare semi-annual dividends on the second Mondays of January and July in each year, of so much as they may deem expedient of the net profits arising from the works, after deducting all expenses and charges; which dividends shall be paid to the stockholders, or their legal representatives, at the office of the company, within ten days after the same is declared, of which due notice shall be given; but no dividend shall be paid to any stockholder who is indebted to the company, nor upon any stock on which any instalment is due and unpaid: *Provided*, That no dividend shall be declared which shall impair the capital stock of the company: *And provided*, That an extra dividend of such portion of the surplus fund in the treasury as may be deemed expedient, within twenty days after this act, shall take effect and become a law.

Dividends.

When paid.

Proviso.

SECTION 5. The trustees shall appoint some competent citizen as treasurer of the company, who shall give bond for the faithful discharge of his duties, with two or more sufficient sureties, in such sum, not less than twenty thousand dollars, as the trustees may direct. The treasurer shall hold his office until his successor is appointed, shall discharge such duties as the trustees shall direct and appoint, and shall receive a reasonable compensation for his services.

Treasurer.

Term of office.

SECTION 6. Whenever the extension of the capital stock and the issue of new shares shall be authorized by the stockholders, the trustees shall open books at such place in the city of Pittsburg, and sell the said stock at public sale, in such manner as they may consider most advantageous to the company, after giving public notice thereof. The said stock shall not be sold for less than its par value; five dollars per share shall be paid at the time of subscribing, and the balance in such instalments as the trustees may require; and if any stockholder shall refuse or omit to pay the instalments on the stock held by him for two months, after public notice by advertisement in two daily newspapers of the city of Pittsburg, the previous payments made by such stockholder, and all his interest in said stock, may be forfeited to the company; and the said trustees are hereby authorized to sue for and recover the balance due on such stock from the holder or original subscriber, as debts of similar amount are recoverable, nor shall any transfer of stock be allowed while the holder thereof is indebted to the company; and the trustees are further authorized to issue certificates of stock, or scrip convertible into stock, and distribute the same *pro rata* among the

Extension of capital stock, relative to.

Stock not to be sold for less than par.

Forfeiture of payments, relative to.

Certificates of scrip may be issued.



stockholders, for the amount of any surplus funds that may have accrued before the first Monday in July next, and for the amount which at that time, or at any time thereafter, may have been expended in extension of main pipes, and which has been or may be charged to the extension fund.

Acceptance of the provisions of this act, relative to.

When stock held by the city to be surrendered to the company.

Public lamps, gas for streets, &c.

Rates for gas.

Penalty for opening gas mains or pipes.

Injuries to works

Proviso.

SECTION 7. That whenever the provisions of this act shall have been accepted by the stockholders of the said company, and the councils of said city corporation, as hereinafter provided, the mayor, aldermen and citizens of Pittsburg shall forthwith cease to be stockholders in said company; and all the stock held by the city corporation, or standing in its name upon the books of the said company, shall be surrendered to the company; and the said city corporation shall have no further right to or interest in said stock, but the same shall become a part of the funds of the company, and be distributed among the stockholders *pro rata*.

SECTION 8. That the said company shall, at the cost of the city corporation, construct, erect and keep in order all such public lamps and burners in the streets as the city councils may direct, and shall also furnish all the gas required for consumption in the public street lamps, market houses, council chambers and public offices of the city, at the following rates, that is to say: Any quantity not exceeding twelve and one-half million cubic feet of gas annually, free of charge; and any excess over that quantity that may be required annually, at a rate not exceeding seventy-five cents for each one thousand cubic feet of gas in such excess. The price of such excess so furnished, together with the costs of constructing, erecting and keeping in order the public lamps and burners in the streets, shall be paid to the company quarterly by the city corporation.

SECTION 9. That if any person or persons shall open communication into the street gas mains or other gas pipes of the said company, without authority from the superintendent or authorized agent of said company, for repairs or any other cause or purpose, he, she or they shall be subject to a penalty of not less than ten nor more than fifty dollars for each and every such offence, to be recovered as debts of like amount are recoverable by law, one-half to be paid to the informer, and the other half to the said company.

SECTION 10. That if any person shall wilfully or maliciously do, or cause to be done, any act or acts whatever whereby any building, construction or works of said company, or any gas pipe, lamp post, burner or reflector, or any matter or thing appertaining to the same, shall be stopped or obstructed, injured or destroyed, the person so offending shall be considered guilty of a misdemeanor; and being thereof indicted and convicted in the court of quarter sessions, shall be punished by fine not exceeding one hundred dollars, or imprisonment not exceeding one year, or both, at the discretion of the court: *Provided*, Such criminal prosecution shall not in any manner impair the right of action for damages by a civil suit hereby authorized to be brought for any such injury as aforesaid, by and in the name of said company, in any court in this state having jurisdiction of the same.

SECTION 11. That the charter of said company be and the same is hereby declared perpetual, subject to the conditions contained in the proviso to the thirteenth section of the act to which this act is a supplement; but the city councils shall not have the right to purchase the stock of said company, in the manner provided in said section, before the first day of August, in the year of our Lord one thousand eight hundred and eighty-seven.

Charter made perpetual.

When city councils may purchase the stock of the company.

SECTION 12. That within thirty days after the passage of this act, it shall be submitted to the councils of the city of Pittsburg for their approval and acceptance; and within thirty days after such approval by the city councils, the same shall be submitted to the private stockholders of the company for their acceptance and approval, at a special meeting to be called for that purpose by the treasurer, of which meeting he shall give due public notice in at least four daily newspapers published in said city; and none of the provisions of this act shall take effect or become a law until the same shall have been approved and accepted by the city councils, and by the votes of a majority of the stockholders of said company represented at said meeting, in the manner aforesaid.

Approval by city councils to be had.

Approval of private stockholders to be had.

Notice of submission to councils and private stockholders to be published.

SECTION 13. That so much of the act to which this is a supplement, as is inconsistent with or supplied by the provisions of this act, is hereby repealed.

Repeal.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The thirty-first day of January, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 24.

## AN ACT

To change the place of holding Elections in Burnside township, Centre county.

WHEREAS, The house at which the elections have heretofore been held in Burnside township, in Centre county, has recently been destroyed by fire, and no court will be held in said county previous to the time fixed by law for holding the elections in said township; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the general and township elections of Burnside township, in*

## LAWS OF PENNSYLVANIA,

the county of Centre, shall hereafter be held at the Pine Glen house, now occupied by Mrs. Sarah Loy, in said township.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The thirty-first day of January, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 25.

## A N A C T

To prevent injury to Sidewalks in the township of Girard, in the county of Erie.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, any person who shall ride, drive or lead any horse, mare, gelding or mule on any sidewalk in the township of Girard, in the county of Erie, made for the accommodation of foot passengers, shall forfeit and pay the sum of five dollars for every such offence, which penalty shall go to the school fund of the said township. The said penalty may be recovered in an action of debt, in the name of the said township, before any justice of the peace in said county, by any person who shall sue for the same.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The thirty-first day of January, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 26.

## A N A C T

To authorize the Supervisors of Pequea and Martic townships, in Lancaster county, to pay one-third of the cost of erecting a County Bridge over Pequea creek, near Harnish's mill.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the supervisors of the townships of Martic and Pequea, in the county of Lancaster, be and are hereby authorized to pay out of the township road taxes, one-third of the cost of the erection of a bridge over the Pequea creek, where said creek divides said townships, near Benjamin Harnish's mill; the cost of such erection to be paid by and under the directions of the commissioners of Lancaster county.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The first day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 27.

## A N A C T

Relating to Viewers of Roads in Venango county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* from and after the passage of this act, the court of quarter sessions of Venango county shall, upon any application for the appointment of viewers to lay out, alter or vacate any road in said county, appoint three in lieu of six viewers, one of whom shall be a practical surveyor.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The first day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER,

No. 28.

## SUPPLEMENT

To an act incorporating the Pemberton Fire and Marine Insurance Company of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the time of holding the annual election for officers of the Quaker City fire and marine insurance company of the city of Philadelphia, incorporated as per act approved May seventh, one thousand eight hundred and fifty-five, under the name and title of the Pemberton fire and marine insurance company of Philadelphia, and changed by authority of the court of quarter sessions of the city of Philadelphia, April nineteenth, one thousand eight hundred and fifty-six, to that of the Quaker City fire and marine insurance company of Philadelphia, shall be hereafter held on the third Tuesday of January, in each year, instead of the first Tuesday in January, as required in the original act of incorporation.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The first day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 29.

## AN ACT

Relative to Taxes on Unseated Lands in Crawford county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the commissioners of Crawford county are hereby authorized to put on sale lists of one thousand eight hundred and sixty, all such returns of unseated lands for road and school taxes as were returned too late to be put on the transcript of one thousand eight hundred and fifty-seven, for the sales of one thousand eight

hundred and fifty-eight; and such returns shall be as good and valid, and have a like effect as though they had been made in December, one thousand eight hundred and fifty-seven.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The first day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 30.

## A SUPPLEMENT

To an act incorporating the Monongahela Insurance Company of Pittsburg.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the board of directors of the Monongahela insurance company, of the city of Pittsburg, shall hereafter consist of fifteen members, to be elected at the time and in the manner prescribed for the election of directors by the act to which this is a supplement, approved the twentieth day of April, Anno Domini one thousand eight hundred and fifty-four; and the present board of directors of the said company are hereby authorized to increase their number to fifteen members, to serve until the next annual election of directors for said company; and so much of the said act to which this is a supplement, as is inconsistent herewith, is hereby repealed.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The first day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 31.

## A N A C T

Relating to the borough of New Hope, in the county of Bucks.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* so much of the fourth division of the third section of an act, approved April third, one thousand eight hundred and fifty-one, entitled "An Act regulating boroughs," as requires the corporate officers of boroughs to publish enactments, regulations, ordinances, or other general laws ordered or passed by the burgess and town council, in one newspaper, if such be printed in the proper county, at least ten days before the same take effect, is hereby repealed, so far as the same relates to the borough of New Hope, in the county of Bucks.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The first day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 32.

## A S U P P L E M E N T

To an act to incorporate the Chartiers and Robinson Township Turnpike Road Company, approved the nineteenth day of March, Anno Domini one thousand eight hundred and fifty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* whenever the Chartiers and Robinson Township turnpike road company shall have finished one mile or more of their road, they shall have power to erect gates and receive tolls upon the portion of the road so finished, agreeably to the conditions and restrictions of sections twelve and thirteen of the act approved



twenty-sixth January, one thousand eight hundred and forty-nine.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The third day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 33.

A N A C T

To authorize the Sheriff of the city of Philadelphia to advertise the sale of Real Estate in three daily Newspapers.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, it shall be lawful for the sheriff of the city and county of Philadelphia to publish, in addition to the advertisements now authorized by law, such advertisements, or abstracts thereof, of sales of real estate, or notices required by law, in a newspaper published in said city, and printed in the German language: Provided, That the said sheriff shall not be held responsible for any errors in translation: And provided further, That the prices hereafter paid or charged by said sheriff for advertising sales of real estate, shall not exceed the usual rates of advertising other matter in the same newspapers: And provided further, That the expense of the publication of any such abstract shall not exceed, in any case, the sum of one dollar each.*

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The third day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

## No. 34.

## SUPPLEMENT

To the several acts incorporating the Lykens Valley Coal Company.

WHEREAS, By an act of Assembly, approved the ninth day of February, A. D. one thousand eight hundred and forty-nine, the president and directors of the Lykens Valley coal company were authorized and empowered to increase its capital stock by the sale of any number not exceeding eight thousand shares, at any time when they might deem the same expedient; and it was also enacted that the said company should pay to the commonwealth a bonus of one per centum upon the said increased stock:

*And whereas,* The said company has not yet seen fit so to increase its stock, and it is unjust to require them to pay the said bonus until they shall make the said increase; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the bonus of one per centum upon the increase of stock as aforesaid, shall not be due or payable until the Lykens Valley coal company shall have increased the capital stock in pursuance of the act of assembly aforesaid; and the several sums of money already paid by the said company on account of said bonus of one per centum, shall be placed to the credit of the said company whenever said increase of stock shall be made.

W. C. A. LAWRENCE,

*Speaker of the House of Representatives.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The fourth day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

## No. 35.

## A SUPPLEMENT

To an act to incorporate the Manheim and Lebanon Plank and Turnpike Road Company, now the North Lebanon and Mount Hope Plank and Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act, entitled "An Act to incorporate the Manheim and Leb-

anon plank and turnpike road company," approved the twelfth day of April, Anno Domini one thousand eight hundred and fifty-one, (and now the North Lebanon and Mount Hope plank and turnpike road company, by authority of an act approved the first day of May, Anno Domini one thousand eight hundred and fifty-seven,) be so altered and amended, that the said company may terminate said road at a point on the public road leading from Mount Hope furnace, in Lancaster county, to Cornwall furnace, in Lebanon county, near said Cornwall furnace, and which said point is hereby declared to be the termini of said North Lebanon and Mount Hope plank road company; and said company is hereby relieved from constructing the residue of said road, according to the requirements of the act incorporating said company, and the supplements thereto.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The seventh day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

### No. 36.

### SUPPLEMENT

To an act to incorporate the Birmingham Gas Company, in the county of Allegheny.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the president and directors of the Birmingham, East Birmingham and South Pittsburg gas company, be and they are hereby authorized and empowered to increase the capital stock of said company four hundred shares, of twenty-five dollars each, in addition to the capital stock authorized by the act to which this is a supplement, entitled "An Act to incorporate the Birmingham, East Birmingham and South Pittsburg gas company," approved the fifteenth day of April, one thousand eight hundred and fifty-six.*

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The seventh day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

## No. 37.

## A SUPPLEMENT

To an act to incorporate the Farmers' Mutual Fire Insurance Company of Middle Pennsylvania, approved the nineteenth day of March, A. D. one thousand eight hundred and fifty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* so much of the act to which this is a supplement, as requires that the members of the company shall be citizens of the counties of Montour, Northumberland and Columbia, and that the risks and members of the corporation shall be confined to said counties, be and the same is hereby repealed; and that the said company be and they are hereby authorized to extend their operations, and to take risks and receive members in any county in this commonwealth.

Authorized to extend their operations.

Election of officers.

SECTION 2. That hereafter the annual election for officers of said company shall be held on the second Tuesday in December in each year, instead of the first Tuesday in December, as heretofore.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The seventh day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

## No. 38.

## AN ACT

To fix the place of holding Elections in Young township, Indiana county.

WHEREAS, The school house in the township of Young, in the county of Indiana, at which place the elections for said township were held, has been taken down: *And whereas*, There is no place in said township set apart for holding such elections, and the court of quarter sessions of said county will not be held until after the next spring election; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That hereafter the qualified electors of the township of Young, in the county of Indiana, shall hold their general, special and township elections at school house number five, near Hugh Blakely's, in said township.*

W. C. A. LAWRENCE,

*Speaker of the House of Representatives.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The seventh day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 39.

## A N A C T

Declaring Babbs creek, in the county of Tioga, a Public Highway.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the second fork of Pine creek, called Babb's creek, in the county of Tioga, is hereby declared a public highway from William Babb's saw mill to the mouth of Mickle run.*

W. C. A. LAWRENCE,

*Speaker of the House of Representatives.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The seventh day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 40.

## A S U P P L E M E N T

To an act incorporating the Hollidaysburg and Altoona Plank Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

the Hollidaysburg and Altoona plank road company are hereby authorized and empowered, when any part of said road may be worn out or decayed, to repair the same from time to time, as occasion may require, with stones, cinder, or other suitable material, whenever the managers thereof deem it advisable so to do.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The seventh day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 41.

## SUPPLEMENT

To an act relative to the sale of a certain Burial Ground for Colored Persons in the borough of Harrisburg, and to the purchase of other ground for such purpose, approved February sixteenth, one thousand eight hundred and fifty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That at the expiration of the term of office of the first named trustees, the board of trustees of the Harris Free cemetery, and their successors in office, are hereby authorized, empowered and required to perform all the unfinished duties, and assume all the powers, trusts, obligations and responsibilities of the first named trustees aforementioned.*

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The seventh day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

## No. 42.

## A SUPPLEMENT

To an act, entitled "An Act to incorporate the Honesdale Gas Company."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Honesdale gas company be and is hereby authorized, under its charter, to supply gas to such persons, partnerships and corporations in the township of Texas, as may desire the same; and for that purpose said company is hereby empowered to extend its pipes into said township, with the right to enter upon any street, lane, alley, highway or bridge therein, for the purpose of laying down pipes, altering or repairing the same, doing as little damage thereto as possible, and obstructing the free use thereof for as short a space as practicable. Authorized to extend pipes, &c.

SECTION 2. That hereafter, at each annual election of said company, there shall be elected from among the stockholders five managers, according to the provisions of the fourth section of the act to which this is supplementary; and hereafter the annual election of officers shall be held on the first Monday in July; and all the provisions of the said act which are inconsistent herewith, are hereby repealed. Election of managers, relative to.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The seventh day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

## No. 43.

## A FURTHER SUPPLEMENT

To the act erecting Wyoming county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in all cases of estates yet remaining unsettled, wherein probate of any last will and testament was taken in the county of Luzerne, prior to the organization of the county of Wyoming, di-



viding land or property situate in said county of Wyoming, and where the executor thereof and parties in interest, or a majority of them, shall reside in said county of Wyoming, the testator having been domiciled therein, it shall be lawful for the heirs or parties in interest to procure a transfer of the record of such will and probate, and of any proceedings that may have been had in the partial settlement of such estate, to the proper records in the county of Wyoming; and the settlement of every such estate shall thereupon be proceeded with, in the said county of Wyoming, in the same manner as if the probate had been originally taken therein.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The eighth day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 44.

# AN ACT

Fixing the place of holding Elections for Wheatfield township, Indiana county.

WHEREAS, The place fixed by law for holding elections for Wheatfield township, Indiana county, is a private dwelling, and it is desirous that the place of holding the elections for said township should be changed to a public building: *And whereas,* The court of quarter sessions of Indiana county will not hold a session until after the time for holding the next spring election will have elapsed; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the general, special and township elections of the township of Wheatfield, in the county of Indiana, shall be hereafter held at the town hall in the borough of Armagh, in the county of Indiana.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The eighth day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 45.

## AN ACT

To lay out a State Road from a point in a Public Road leading from Jonestown, Lebanon county, to Woleberstown, in the county of Berks, at or near Philip Batdorff's house, in the township of Jackson, Lebanon county, to a point in the public road leading from Myerstown, Lebanon county, to Frystown, in the county of Berks, at or near Daniel Batdorff's, in Tulpehocken township, Berks county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Adam Grittinger and William Urick, of Lebanon county, and Henry Brown, of Berks county, be and they are hereby appointed commissioners to view and lay out a State road from a point in a public road leading from Jonestown, Lebanon county, to Woleberstown, in the county of Berks, at or near Philip Batdorff's house, in the township of Jackson, Lebanon county, to a point in the public road leading from Myerstown, Lebanon county, to Frystown, in the county of Berks, at or near Daniel Batdorff's house, in Tulpehocken township, Berks county. Commissioners.  
Route.

SECTION 2. That it shall be the duty of said commissioners, as soon as practicable, having first been duly sworn or affirmed before a justice of the peace or other proper officer, to perform the duties enjoined upon them by this act with impartiality and fidelity, which said oath or affirmation shall be filed in his office by the said justice of the peace or other proper officer, carefully to view the ground and lay out the said road, having respect to the ground and shortest distance, so as best to promote the public good, and do the least injury to private property; and they shall clearly and distinctly mark upon the ground the route agreed upon, so as to enable the supervisors to readily find the same. Duty of commissioners.

SECTION 3. That said commissioners shall have authority, by this act, to vacate any road or part of a road hereby rendered useless, and to lay out any part of said road on the bed of any road or part of a road heretofore constructed or laid out by authority of law, or established by prescription or otherwise howsoever; and they shall make a fair and accurate draft of the location of said road, noting the courses and distances, with a reference to the improvements; one copy thereof shall be deposited in the office of the secretary of the commonwealth, on or before the first day of October next, and one copy in the office of the clerk of the court of quarter sessions of each of the said counties, on or before the said first day of October; and from thenceforth the road shall be, to all intents and purposes, a public highway, and shall be opened to the width of thirty-three feet, and shall be made and repaired in all respects as roads laid out by order of court; and the damages sustained by the owners of land, if any, shall be assessed and paid as provided by the Authority and powers.  
Drafts where and when deposited.  
Subject to.

act of the thirteenth day of June, Anno Domini one thousand eight hundred and thirty-six.

Compensation.

SECTION 4. That the said commissioners, one of whom may be an artist on said road, shall each be entitled to receive two dollars per day for each and every day they shall be necessarily employed in performing the duties enjoined upon them by this act, and the artist shall be entitled to receive fifty cents per day additional compensation; and the said commissioners are hereby authorized to employ two chain carriers and one axeman, at a compensation not exceeding one dollar and twenty-five cents per day; and the accounts shall be registered by the commissioners, and paid by the treasurers of said counties in the usual manner; and if any vacancy shall occur by resignation or otherwise, the remaining commissioner or commissioners shall have power to supply such vacancy or vacancies by appointment: *Provided*, That the expense which the said counties of Berks and Lebanon will be liable to pay, by reason of the laying out and opening the road aforesaid, shall be proportioned between them, according to the length of said road in each of said counties.

How paid.

Vacancies.

Proviso.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The eighth day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 46.

## AN ACT

Relative to Roads in Mercer county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That every sub-school district in the respective townships in the county of Mercer shall be a road district, and shall each and every year, at the time of electing township officers, also elect one person as road master in each district; and the supervisors shall furnish each road master with a list of the taxables in his district, together with the amount of the tax to be paid by each; and the road master shall notify each person named in his duplicate, of the time and place he intends to work on said roads, and if the person so notified neglect or refuses to work as directed, such delinquent shall be returned by the road master

Each sub-school district to be a road district.

Road masters, election of.

Duty of supervisors.

Duty of road masters.

forthwith to the supervisors; and in case any road master shall refuse to act or perform the duties enjoined upon him, he shall pay a fine not exceeding five dollars, to be collected before a justice, as other sums of like amount; and the supervisors shall appoint another to serve in his place until the next election.

Penalty for refusing to act as road master.

SECTION 2. The said road masters are hereby required to have the tax in their respective districts worked out as soon as may be after they receive their duplicates from the supervisors, and not later than the first of August, except unavoidable repairs, or the cutting out of new roads; and they shall annually, in the month of November of each year, meet with the said supervisors, and settle their respective accounts; and any failure on part of said road masters to settle, or to work out their taxes as above stated, shall subject those neglecting to a fine of twenty dollars, to be recovered, as other fines of equal amount are by law recoverable, before a justice of the peace, at the suit of the proper treasurer of the township, on complaint made by the supervisors to said treasurer.

Relative to working out tax.

Settlement of accounts, relative to.

SECTION 3. The existing road laws, so far as they are supplied or altered by this act, are hereby repealed in the aforesaid county of Mercer.

Repeal.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The eighth day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 47.

## AN ACT

Extending the General Manufacturing Law for the manufacture of Leather, to Potter and Carbon counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act, entitled "An Act to encourage manufacturing operations in this commonwealth," approved the seventh day of April, one thousand eight hundred and forty-nine, and the several supplements thereto, be and the same are hereby extended to corporations which may be organized and established for the purpose of making and manufacturing leather, in Potter

and Carbon counties: *Provided*, That the lands held for such purposes shall not exceed three thousand acres.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The eighth day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 48.

## AN ACT

Relating to the borough of Johnstown, in the county of Cambria.

Preamble.

WHEREAS, The burgess and town council of the borough of Johnstown, in the county of Cambria, have contracted debts for paving certain streets in said borough beyond an amount authorized by law: *And whereas*, The said burgess and town council have issued bonds, with coupons attached, bearing six per centum interest, in discharge of said debt; therefore,

The issuing of  
certain borough  
bonds made lo-  
gal.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the bonds, with coupons attached, heretofore issued by the burgess and town council of the borough of Johnstown, in the county of Cambria, not exceeding in amount ten thousand dollars, be and the same are hereby declared to have the same force and effect, to all intents and purposes, as if the same had been issued by authority of law.

Councils may  
levy additional  
tax.

SECTION 2. That the burgess and town council of the said borough of Johnstown are hereby authorized and empowered (if they deem the same necessary) to levy an additional tax, not exceeding ten mills on the dollar, on the assessed value of the property, trades and professions in said borough, in addition to the tax now authorized by law for paving purposes, and to create a fund to redeem the bonds mentioned in the first section of this act: *Provided*, That the tax so levied and collected shall be appropriated in the respective ward where assessed and collected.

Proviso.

Collector of  
taxes, election  
cf. &c.

SECTION 3. That it shall and may be lawful for the burgess and town council of said borough, at their first annual meeting in each and every year, to elect one person to serve as collector of all the taxes of said borough for the ensuing year, who shall give bond to the burgess and town councils, with sureties, con-

ditioned for the faithful performance of his duties as collector and payment of all moneys into the treasury of said borough, which bond shall be approved by the burgess; and the same collector shall in no case be re-elected unless he shall have paid over the full amount of his duplicate or duplicates, less such amount of exonerations as may be made by the burgess and council aforesaid.

SECTION 4. That the qualified electors of said borough shall, at their first election after the passage of this act, at the same time and in the same manner that the burgess is now elected, elect one person to serve as auditor for said borough for one year, one person to serve for two years, and one person to serve for three years, and annually thereafter one person to serve as auditor as aforesaid for three years. Auditors, election of.

SECTION 5. That all acts or parts of acts inconsistent with the foregoing act, shall be and the same are hereby repealed. Repeal.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The eighth day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 49.

## A SUPPLEMENT

To an act to incorporate the Susquehanna and Lehigh Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the annual election of managers of the Susquehanna and Lehigh turnpike road company shall be held on the second Tuesday of November of each year.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The eighth day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.



No. 50.

## A SUPPLEMENT

To an act to incorporate the Pattonsville and Woodberry Turnpike Road Company, approved the eighteenth day of March, Anno Domini one thousand eight hundred and fifty-two.

WHEREAS, The Pattonsville and Woodberry turnpike road company, by reason of the actual over the estimated cost, and other circumstances, became involved, and were unable to complete their road, about one-seventh part thereof remaining unmade: *And whereas*, The road of said company has, under an act of assembly, approved fourth April, one thousand eight hundred and fifty-four, been sold for the purpose of paying debts, and has become the property of a new company, invested with the same rights, privileges and powers, and subject to the same duties and restrictions as the former company; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the time for the completion of the road of said company shall be extended for five years from the expiration thereof, according to the original act; and that said company shall not be required to extend their road to Hopewell, under the supplement passed April fifth, one thousand eight hundred and fifty-five; and their inability to make said extension, or any part thereof, shall not affect the charter or act of incorporation to which this is a supplement.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The eighth day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 51.

## AN ACT

Authorizing the School Directors of the borough of Media, Delaware county, to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That



the school directors of the borough of Media, Delaware county, are hereby authorized to borrow any sum of money not exceeding fifteen hundred dollars, and issue bonds for the same, in sums not less than one hundred dollars each, bearing lawful interest.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The eighth day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 52.

## AN ACT

Relative to the Road Laws in the township of Madison, in the county of Luzerne.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the first, second, third, fourth, fifth, sixth and seventh sections of an act, entitled "An Act to alter the road laws in the township of Lenox, in the county of Susquehanna, and for other purposes," approved the third day of March, Anno Domini one thousand eight hundred and forty-seven, be and the same are hereby extended to the township of Madison, in the county of Luzerne. Certain act extended to Madison township.

SECTION 2. That the existing road laws, so far as they are supplied or altered by this act, are hereby repealed in the aforesaid township of Madison. Repeal.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The eighth day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 53.

## A N A C T

Relative to Dog Tax in Thornbury township, Delaware county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That all dog tax hereafter assessed and collected in Thornbury township, Delaware county, shall be paid to the county treasurer, and all outstanding claims for damages done by dog or dogs shall be paid by the treasurer of said county, and all orders for damages in future shall be drawn on the treasurer of said county; and all laws or parts of law inconsistent herewith, be and the same are hereby repealed.*

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The eighth day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 54.

## A N A C T

To change the place of holding Elections in Forks township, Sullivan county.

WHEREAS, The house designated by law for holding the elections in Forks township, Sullivan county, is unoccupied, has become decayed, and is entirely unsafe and unfit to be occupied:

*And whereas, A new house has been built upon the same farm, and within a few rods of the old one:*

*And whereas, No court will be held in said county of Sullivan in time to fix a place for holding the election; therefore,*

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the general, special and township elections in the township of*

Forks, Sullivan county, shall hereafter be held at the private house of John G. Wright, in Forks township, Sullivan county.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The eighth day of January, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 55.

## A N A C T

To attach Montour county to the Eighth Division of the Militia of this Commonwealth.

WHEREAS, By the act of April twenty-first, Anno Domini one thousand eight hundred and fifty-eight, entitled "An Act for the regulation of the militia of this commonwealth," and the arrangement of the counties in twenty separate divisions, by some oversight or mistake the county of Montour was not by the act included in any division; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter the county of Montour shall be attached to and form a part of the eighth division of the militia of this commonwealth, and be subject to the same rules and regulations as other counties composing a part of said division.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The eighth day of January, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 56.

## A FURTHER SUPPLEMENT

To the act incorporating the Delaware Mutual Safety Insurance Company.

Profits and dividends, relative to. SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* whenever the profits of the company shall in any one year exceed the sum necessary to enable the directors to make a cash dividend of eight per cent. on the capital stock, to pay six per cent. interest on the outstanding scrip, and to make a scrip dividend of twenty-five per cent. on the earned premiums of the company, it may be lawful for the board of directors to increase the dividend on the capital stock authorized to be created under the act approved April thirteenth, one thousand eight hundred and fifty-eight, to ten per cent. out of any such excess of profits.

Redemption of scrip.

Proviso.

Proviso.

Voting for directors by certain class of stockholders.

SECTION 2. That when the scrip fund of the company shall exceed the sum of two hundred thousand dollars, the directors may at any time pay off or redeem such portion of the scrip of the company outstanding as they may deem expedient and proper: *Provided*, That the certificates of the issue of a subsequent year shall not, in any case, be paid off or redeemed till all those of the preceding year or years have been paid off, or provision made therefor: *Provided also*, That in no case shall the scrip be paid off to such an extent as to reduce the aggregate amount of the capital stock, and the scrip fund of the company below the sum of five hundred thousand dollars.

SECTION 3. That the stockholders of the capital stock authorized to be created under the supplement to the charter, approved April thirteenth, one thousand eight hundred and fifty-eight, shall, for the election of directors, be entitled to vote in the following ratio, to wit: For each and every share of such stock up to fifty shares, one vote; for every five shares beyond fifty, and up to one hundred shares, two votes; for every five shares beyond one hundred, one vote; nor shall any stockholder vote at any election for directors, unless the share or shares on which he or she may claim to vote shall have been standing in his or her name, on the books of said corporation, for at least three months previous to said election; nor shall any stockholder or insured member vote by proxy.

Redemption of original capital stock.

SECTION 4. That it may be lawful for the board of directors to redeem the original capital stock of the company at the rate of eight dollars per share, or to change the same into the new stock authorized to be created under the supplement to the charter, approved April thirteenth, one thousand eight hundred and fifty-eight, at the rate of ten dollars per share for said original stock.

Repeal.

SECTION 5. That the act to which this is a supplement, and the several other supplements thereto, so far as they are not repealed hereby, shall be and continue in force; and that so much

of the said act, and of the several acts supplementary thereto, as are supplied by or inconsistent with the provisions of this act, shall be and hereby are repealed: *Provided*, The provisions of this supplement be approved by a majority of the stockholders of said company, at a meeting to be called for that purpose, before it shall go into effect.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The ninth day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 57.

## A N A C T

Authorizing the qualified Electors of the county of Delaware, at the General Election in October, Anno Domini one thousand eight hundred and sixty-two, to elect one person to fill the offices of Prothonotary, Clerk of the Courts of General Quarter Sessions, Oyer and Terminer, and Orphans' Court, and also one other person to fill the offices of Register of Wills and Recorder of Deeds.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the qualified electors of the county of Delaware, at the general election to be holden in October, Anno Domini one thousand eight hundred and sixty-two, and thereafter triennially, shall elect one person to fill the offices of prothonotary, clerk of the courts of general quarter sessions, oyer and terminer, and orphans' court, and also to elect one other person to fill the offices of the register of wills and recorder of deeds.

County officers,  
relative to elec-  
tion of.

SECTION 2. That so much of the act of assembly of July second, Anno Domini one thousand eight hundred and thirty-nine, as is inconsistent herewith, is hereby repealed.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The ninth day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 58.

## A N A C T

To validate the acts of William Root, an Alderman of the city of Carbon-  
dale.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all the acts of William Root, alderman of the city of Carbon-  
dale, that were done and performed by him in the capacity of alderman aforesaid, in the spring of one thousand eight hundred and fifty-nine, after his commission for such office had expired, and before the receipt of his present commission for such office, be good and valid, and to have the same force and effect as if he had been duly commissioned and sworn, excepting therefrom any judgments he might have entered within such time.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The ninth day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 59.

## A N A C T

To legalize the erection of the township of Yoder, in the county of Cam-  
bria, and for other purposes.

Preamble.

WHEREAS, Proceedings have been had in the court of quarter sessions of Cambria county, erecting a new township, called Yoder, out of a portion of the township of Conemaugh, in said county :

*And whereas,* The said court omitted to order a vote of the qualified electors of the said township of Conemaugh, to be taken on the question of a division thereof for the purpose aforesaid :

*And whereas,* The inhabitants of the said township of Conemaugh are well satisfied with such division, and approve the erection of the said township of Yoder ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the decree of the said court, together with all other proceedings touching the erection and organization of the said township of Yoder, be deemed and held valid and effectual, to all intents and purposes; and the said township of Yoder is hereby declared established according to the boundaries returned therefor to the said court, as fully and effectually as if the said decree and proceedings had been regular in every particular. Decree of court validated.

SECTION 2. That the election held in the said township of Yoder, on the eighteenth day of February, Anno Domini one thousand eight hundred and fifty-nine, (now past,) for judge and inspectors of elections, school directors, and the several township officers, be declared legal and valid; and the said officers then and there elected, be declared as fully authorized to fill and act in said offices as if this act had passed previous to the said eighteenth day of February, Anno Domini one thousand eight hundred and fifty-nine. Certain election made legal and valid.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The tenth day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 60.

## A N A C T

To lay out a State road in Beaver and Butler counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* John Levis, Henry Goehring and Alexander Gillespie, be and are hereby appointed commissioners to lay out a state road, commencing at or near Captain Steinback's, in the county of Beaver, to a point of intersection with the Perrysville and Zelenople turnpike or plank road, at or near George Hartman's farm, on the Perrysville and Zelenople turnpike or plank road, in the county of Butler, who, or any two of whom, after being duly sworn before some justice of the peace to perform the duties of this act with fidelity, shall meet at some time agreed upon by the aforesaid commissioners, and carefully view the ground over which said road is to pass, and lay out and locate a road between said points, at the same grade and width as is by Commissioners.  
Route.  
Duty of commissioners.



Maps, where deposited.

Supervisors, duty of.

Compensation.

How paid.

law provided in case of roads laid out by directions of the courts, and shall clearly and distinctly mark the same; after which, they shall make out two correct maps or drafts thereof, and file one of the same in the office of the clerk of the court of quarter sessions of each of said counties, whereupon said road shall become a public highway; and it shall be the duty of the respective supervisors to open said road so marked as aforesaid, and keep the same in repairs as other highways in the said counties.

SECTION 2. That the said commissioners shall receive the sum of two dollars for every day they shall necessarily be engaged in the performance of their duties, and such assistants as they may employ, not exceeding three, shall receive one dollar per day, to be paid from the treasuries of the respective counties, in proportion to the length of the road in each county respectively, on orders of the respective county commissioners, who shall adjust their account.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The fourteenth day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 61.

## AN ACT

To encourage the destruction of Noxious Animals in certain counties.

Description of animals.

Justice of the peace, duty of.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, any person or persons who may kill any red or gray fox or foxes, wild cat or wild cats, skunk or skunks, mink or minks, within the counties of Clinton and Lycoming, in this commonwealth, and who shall produce the scalp of such fox or foxes, wild cat or wild cats, skunk or skunks, mink or minks, having the ears thereon, before any justice of the peace in and for the county in which the same has been taken and killed, it shall be the duty of such justice to examine such person or persons on oath or affirmation, touching the place where and the time when such fox or foxes, wild cat or wild cats, skunk or skunks, mink or minks, was or were taken and killed; and if the place or places of such taking and killing shall be found to be within the bounds of the proper county, it shall be the duty of such justice to give the person or persons a

certificate of the facts to the commissioners of the county, together with the scalps as aforesaid; and the said commissioners, upon the receipt thereof, shall immediately have such scalp or scalps destroyed, and thereupon draw their warrant on the county treasurer of the proper county, as follows: For the scalp of a full grown red or gray fox, two dollars; and if for the scalp of a full grown wild cat, two dollars; and if for the scalp of a full grown skunk, one dollar; and if for the scalp of a full grown mink, fifty cents; and for the scalp or scalps of any of the before named animals, which are not more than half grown, one-half of the sums before named, respectively, for each and every scalp; and it shall be the duty of such treasurer, and he is hereby directed, to pay the amount of said order to the holder thereof. Premiums

SECTION 2. That so much of any former act or acts as are hereby altered and supplied, be and they are hereby repealed. Repeal.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The fourteenth day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 62.

## A N A C T

Relating to the borough of Clearfield.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the borough council of the borough of Clearfield shall consist of six members, who shall be elected at the spring election for officers of said borough, as follows: Two to serve three years, two to serve two years, and two to serve one year, and annually thereafter two shall be elected to serve three years; and so much of any other act or acts as is inconsistent herewith, be and the same is hereby repealed, so far as it relates to the said borough of Clearfield.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The fourteenth day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 63.

## SUPPLEMENT

To an act relating to the election of Borough Auditors in the borough of Brookville, Jefferson county.

Preamble.

WHEREAS, By an act of the Legislature, passed at the session of one thousand eight hundred and fifty-eight, regulating the time of holding borough and township elections in Jefferson county, the elections in Brookville were changed from the first Monday in March to the first Monday in February, in each year ; therefore,

Certain act altered and amended.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the act passed the twenty-fourth day of March, one thousand eight hundred and fifty-eight, relating to the election and duties of borough auditors in said borough, as requires the said auditors to meet on the first Monday in May in each year, be so altered and amended as to require them to meet on the third Monday in February ; and that they shall make publication, as now required to be made in the months of May and June, in the month of February and March.

When borough officers to enter upon their duties

SECTION 2. That the burgess and town council, school directors, overseers of the poor, and all other officers of said borough, shall enter upon the duties of their respective offices on the third Monday in February in each year.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The fifteenth day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 64.

## AN ACT

Relative to Road and Bridge Viewers in the county of Armstrong.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

the number of road and bridge viewers hereafter to be appointed by the court of quarter sessions of Armstrong county shall be three, one of whom shall be a practical surveyor; and every view, review and re-review shall be made by the whole number of persons so appointed, a majority of whom shall concur in their report in order to its confirmation by the court.

SECTION 2. That the said court, in appointing viewers as aforesaid, shall name one of the viewers so appointed, whose duty it shall be to give public notice, by written or printed advertisement, of the time and place when and where said viewers shall meet for the purpose of locating the said road or bridge, at least ten days before such meeting.

SECTION 3. That the second and third sections of the act, approved the sixth day of April, Anno Domini one thousand eight hundred and forty-three, entitled "An Act to change the manner of assessing damages sustained by the owners of lands in the opening of public roads in the counties of Washington, Mercer and Fayette," be and the same are hereby extended to the county of Armstrong.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The fifteenth day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 65.

## A SUPPLEMENT

To an act to incorporate the Allegheny Gas Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Allegheny gas company may increase the capital stock of said company, in the manner provided in the act to which this is a supplement, to any sum not exceeding three hundred thousand dollars.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The fifteenth day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 66.

## AN ACT

To incorporate the Huntingdon and Cassville Turnpike Road Company.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

**Commissioners.** Thomas Fisher, Graffius Miller, George Jackson, William Dorris, junior, David Blair, J. Simpson Africa, David P. Gwin, John P. Anderson, Benjamin Graffius, George A. Steel, William B. Ziegler, A. L. Grim, John S. Miller, William P. Orbison, Henry S. Isenberg, David Haun, Abraham Shenefelt, Moses Swope, George W. Hazzard, Ephraim Chilcott, Simeon Wright, George W. Pheasant, Benjamin F. Glasgow, John R. Gosnell, David Stever, Joshua Greenland, David Clarkson, James Henderson, Joseph P. Heaton, Jacob Cresswell and Nicholas Corbin, or any five of them, are hereby appointed commissioners to open books,

**Style.** style and title of the Huntingdon and Cassville turnpike road company, with authority to construct a turnpike road from the

**Route.** borough of Huntingdon, by way of Haun's bridge, to the borough of Cassville, in the county of Huntingdon; and to have,

**Subject to.** exercise and enjoy all the rights, powers and privileges conferred upon such corporations by an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, Anno Domini one thousand eight hundred and forty-nine, and the several supplements thereto; subject, also, to the conditions and restrictions contained in said acts.

**Capital.** **SECTION 2.** That the capital stock of said company shall consist of eight hundred shares, at twenty-five dollars each.

**Limitation.** **SECTION 3.** That in case the company should fail to commence the construction of said road within three years, and to complete the same within six years, after the approval of this act, then this act shall be null and void, except so far as may be necessary to settle the affairs and pay the debts of the company.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The fifteenth day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 67.

## A N A C T

Authorizing the qualified Voters of the township of Brush Valley, in the county of Indiana, to elect two additional Supervisors.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the qualified voters of the township of Brush Valley, in the county of Indiana, annually to elect four supervisors of roads and highways for said township, at the same time and place now fixed by law for the election of township officers.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The fifteenth day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 68.

## A N A C T

To extend an act to improve the breed of Sheep in certain counties of this Commonwealth.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act, entitled "An Act to improve the breed of sheep in certain counties of this Commonwealth," passed the twenty-ninth day of March, one thousand eight hundred and thirteen, be and the same is hereby extended to the county of Clarion: *Provided,* That the penalties prescribed in the act to which this is an extension, shall be recoverable in the said county of Clarion only

## LAWS OF PENNSYLVANIA,

for trespasses committed between the first day of September and the first day of December in each year.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The fifteenth day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 69.

## A N A C T

To authorize the Commissioners of Tioga county to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the commissioners of Tioga county be and they are hereby authorized and empowered to borrow, upon the credit of the said county, for the purpose of erecting a new county prison, any sum of money not exceeding ten thousand dollars, payable within ten years: Provided, That no bond or other obligation shall be issued by the said commissioners for the payment of the same, of a less denomination than fifty dollars, and that the same shall be exempted from taxation.*

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The fifteenth day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.



No. 70.

## AN ACT

Extending the powers of the Philadelphia Conference Tract Society.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* "The Philadelphia Conference tract society," incorporated by the court of common pleas of the city and county of Philadelphia, on the tenth day of February, Anno Domini one thousand eight hundred and fifty-nine, be and they are further empowered to publish and print all such moral and religious tracts, books, &c., as by their charter, granted by the said court, they are authorized to circulate and distribute.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The fifteenth day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 71.

## SUPPLEMENT

To an act to incorporate the Turners Association.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* so much of the act to which this is a supplement, approved the thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine, as restricts membership in the said association to shareholders therein, and requires the said association to have a capital stock as specified in the said act, and so much of the same as requires that one hundred shares of stock shall be subscribed before the said act to which this is a supplement shall take effect, is hereby repealed. Repeal of certain act.

SECTION 2. That from and after the passage of this act, each member of the said Turners association, and all persons who shall hereafter become members of the same, shall be entitled

to one, and only one, vote for each member; and as much of the said act to which this is a supplement, as is inconsistent herewith, is hereby repealed.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The sixteenth day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 72.

## A N A C T

To incorporate the Home Insurance Company of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Thomas Reath, Robert Morris, C. F. Norton, James T. Mitchell, William A. Rolin, Paschall H. Coulter, Joseph Yerkes, Evan Morris, George H. Ashton, Edward B. Vandyke, William H. Kimble and Collins West, of the city of Philadelphia, are hereby appointed commissioners, who, or any five of whom, are authorized and empowered, from and after the passage of this act, to establish an insurance company, by the name and title of the Home insurance company, and to be located in the city of Philadelphia, with a capital stock of one hundred thousand dollars, divided into shares of fifty dollars each, with the right to increase the same to five hundred thousand dollars, and to be organized and managed according to the provisions of an act to provide for the incorporation of insurance companies, approved the second day of April, Anno Domini one thousand eight hundred and fifty-six, and shall be limited to risks designated in the first class, in the seventh section of said act.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The sixteenth day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 73.

## A N A C T

Supplementary to an act relating to Hawkers and Pedlers in the county of Washington.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter the penalty against hawkers, pedlers and traveling merchants in the county of Washington, as provided in act, entitled "An Act relating to hawkers and pedlers in the county of Washington," approved the twenty-seventh day of February, one thousand eight hundred and fifty-eight, shall be enforced in the manner following, that is to say: Any justice of the peace of said county, on view, or the information or complaint, on oath or affirmation, of any other person, shall proceed in a summary manner to conviction, against any person offending against the provisions of the aforesaid act, and in default of immediate payment of said penalty and costs, to commit such offender to the common jail of said county, there to be detained until discharged by due course of law; and one-half of all penalties which may accrue under the said act shall go to the informer; and any such informer, notwithstanding his interest, shall be a competent witness.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The sixteenth day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 74.

## A N A C T

To extend the jurisdiction of the Court of Quarter Sessions of York county, in the matter of a Road to lead from the County Hospital to the York and Wrightsville Turnpike.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the court of quarter sessions of the county of York is hereby

Opening of a certain road, relative to.

Proviso.

Assessment of damages, relative to.

authorized and empowered, upon petition, to decree the opening of a public road, of not more than one hundred feet in width, to lead from the county hospital to the York and Wrightsville turnpike, at or near the line of the borough of York, in said county: *Provided*, That all the proceedings therein shall be entertained and exercised by said court in accordance with the provisions of the general road laws, as in other cases.

SECTION 2. That in the assessment of damages for the opening of said road, the benefits accruing to the property holders along the line of the same, on account of the extension aforesaid, shall be duly considered by the viewers appointed for the purpose of assessing said damage.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The sixteenth day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 75.

## A N A C T

To change the place of holding Elections in North Buffalo township, in the county of Armstrong.

WHEREAS, The owner of the house at which the elections have heretofore been held in North Buffalo township, in the county of Armstrong, wishes to be relieved from the further annoyance of public meetings at his house:

*And whereas*, No session of court will be held in said county before the time fixed by law for holding township elections in said county; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That from and after the passage of this act, all general, special and township elections of North Buffalo township, in the county of Armstrong, shall be held at the public school house (number six) in said township.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The sixteenth day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 76.

## A N A C T

To prevent the destruction of Fish within the county of Lawrence.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be unlawful for any person or persons within the county of Lawrence, between the first day of April and the first day of October in the present year, or any year hereafter, to catch or take any fish, in any of the waters of said county, by means of any seine or net of any kind, or by means of any night lines, or in any other method than by angling: *Provided*, That this section shall not prohibit the taking of minnows with a seine or net not exceeding fifteen feet in length. Time and manner of fishing prescribed.

SECTION 2. That any person violating the provisions of this act shall, for the first offence, forfeit and pay a fine of not less than five dollars, which shall go to the school district where the same shall be recovered; and for the second offence, a fine of not less than ten dollars, and an additional five dollars for every subsequent offence. Penalty

SECTION 3. That the proceedings to recover said fines shall be summary, by complaint, on oath, before a justice of the peace of the county where the offence was committed, as in summary proceedings for profane swearing; and every such informer or complainant shall be a competent witness; and every such complaint shall be within thirty days after the offence committed. Manner of proceeding to recover fines.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The sixteenth day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 77.

## A N A C T

Relating to Roads and Bridges in the county of York.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

Number of  
viewers.

the number of road and bridge viewers appointed by the court of quarter sessions of the county of York, shall be three. Every view, review and re-review shall be made by the whole number of persons so appointed, a majority of whom shall concur in their report, in order to its confirmation by the court.

Public notice of  
proposed route  
to be given.

SECTION 2. That in all cases where the court of quarter sessions shall appoint viewers to locate a public road or a bridge, the viewers so appointed shall not proceed to view and locate the same until the persons interested in the road or bridge shall have given public notice, on the route of the proposed road, by written or printed advertisements, of the time and place when said viewers shall meet for the purpose of locating said road or bridge, at least ten days before such time of meeting; and the viewers so appointed shall receive one dollar for each day necessarily engaged in making said view, and mileage for traveling from their place of residence to the place of view, and returning therefrom, each viewer for each mile circular, six cents: *Provided*, That said mileage does not exceed one dollar for each viewer: *And provided further*, That in all cases in which one of the viewers shall perform the duties of surveyor, he shall receive two dollars per day for said services.

Proviso.

Proviso.

Damages, rela-  
tive to.

SECTION 3. That if the viewers aforesaid, after being duly qualified, shall decide in favor of locating a public road or bridge, as the case may be, it is hereby made their duty to obtain, from the persons through whose lands the road may pass, releases for any damage that may arise to them in opening the same; and in every case where the owner or owners of such land refuse to release their claim to damages, it shall be the duty of the said viewers to assess the same, taking into view the advantages as well as disadvantages arising from said location, and make report of such assessment, which they shall transmit to the next court of quarter sessions, with a draft or plot of the location, to be filed by the clerk with the papers in the case; and it shall be the duty of the viewers to state, in their report, whether in their opinion the road is of such public utility that the amount of damages ought to be paid by the county.

Drafts, where  
filed.

Court of quarter  
sessions, duty of  
relative to dama-  
ges.

SECTION 4. That it is hereby made the duty of said court to examine the amount of damages assessed as aforesaid; and if it shall appear to said court that the amount of damage assessed on the location of said road or bridge is so small that the public interest will be advanced by paying the same and opening the road, the court shall decide accordingly; but if the court shall be of opinion that the necessity for the road will not justify the county in paying the damage assessed, the court shall refuse to confirm the report of said viewers: *Provided*, That if any person or persons shall pay the damage, or reduce the same to what the court may deem reasonable and just in the case, then the road or bridge may be confirmed as heretofore: *Provided further*, That no petitioner for any road shall receive any damage occasioned by the construction thereof.

Proviso.

Proviso.

Further duties of  
court of quarter  
sessions.

SECTION 5. That it shall be the duty of the court, upon sufficient cause being shown by any person or persons affected by such report, by petition or petitions presented therefor, not later than the third day of the next stated term to which the report



is returnable, to appoint reviewers or re-reviewers; but when there is more than one petition presented for a review or re-review, the court shall appoint the same reviewers or re-reviewers on all the petitions, and direct one order only to be issued for the review or re-review of the road or assessment of damages, who shall have the same power as is given to viewers in the third section of this act, as to location, releases and assessment of damages; and the same notice shall be given of the time and place of meeting; and the court shall have the same power in regard to their report as in the case of views; and all proceedings in reviews and re-reviews shall be under this act, and no other; and the court charges, advertising, and pay of reviewers and re-reviewers and surveyors, shall be paid by the petitioners or others interested.

SECTION 6. That it shall be the duty of the clerk of the court of quarter sessions to lay all reports on roads and bridges before the county commissioners, to be examined by them; and it shall be their duty to report, for the information of the court, what they know in the premises; and in regard to bridge reports, it shall be their duty, in addition, to cause an accurate estimate of the cost thereof, which they shall attach to said report, for the information of the court and grand jury.

County commis-  
sioners, duties of,  
&c.

SECTION 7. That it shall be the duty of the supervisors of the several townships, and other persons having charge of the highways in incorporated boroughs, to keep in repair all bridges built, or that may hereafter be built, by the county commissioners, at the charge of the county; and they shall be subject to the like penalties for neglect as they are now liable to in the case of roads and bridges built at the expense of the township or borough.

Duty of supervi-  
sors.

SECTION 8. That when the viewers appointed shall decide in favor of locating or re-locating a private road, they shall view and assess the damages, if any, and make report thereof; and the proceedings thereupon, to review or re-review the damages, shall be as hereinbefore provided in case of public roads.

Damages, rela-  
tive to.

SECTION 9. That it shall be the duty of the persons interested to give at least ten days' notice, to one of the county commissioners, of the time and place of holding all views, reviews and re-reviews, for the assessment of damages held under authority of this act.

Notice to be  
given to commis-  
sioners of views,  
&c.

SECTION 10. That all exceptions filed to report of viewers, reviewers or re-reviewers, for any of the purposes mentioned in this act, shall be verified by the oath or affirmation of at least one of the exceptors; and that no report of viewers, reviewers or re-reviewers shall be set aside for any informality in the proceedings, if it shall appear by the report, or by proof made to the court, that notice of the time and place of meeting was given agreeably to the provisions of this act, that the viewers, reviewers or re-reviewers were duly sworn or affirmed before they proceeded to act, and afterwards viewed the site of the road or bridge; but any informality may be amended or omission supplied by the court, or the report may be re-committed to the viewers, reviewers or re-reviewers for amendment; and in no case shall any alias view, review or re-review be awarded.

Exceptions to re-  
port of viewers,  
&c., relative to.



Oaths.

SECTION 11. That it shall be lawful for viewers, reviewers or re-reviewers to administer to each other the oaths or affirmations required by law.

Petition for re-view, &c., relative to.

SECTION 12. That no petition for a review or re-review shall be received by the court, unless said petition shall be verified by the oath or affirmation of one or more of the petitioners, and the grounds upon which the review or re-review is asked be specifically set out in said petition.

New petitions to view, relative to.

SECTION 13. That in all cases where the action of the court or grand jury shall be adverse to the grant of a new road or bridge, no new petition to view the same site, or one substantially the same, shall be granted by the court until after the expiration of two years from the final decree of the court on the former application; nor shall any report, recommending the erection of a new bridge, be presented to a subsequent grand jury after two grand juries have refused to approve the same.

Repeal.

SECTION 14. That all acts inconsistent with the foregoing are hereby repealed, so far as they relate to the county of York:

Proviso.

*Provided*, That nothing herein contained shall be so construed as to affect any proceedings commenced or pending in said court, relative to the laying out or vacating any road within said county, nor be held to apply to any road laid out by authority of any special act of assembly of this commonwealth.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The seventeenth day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 78.

## A N A C T

Authorizing the German Evangelical Protestant Church of Pittsburg to lease and improve a certain Lot, and to remove the Dead buried therein.

Preamble.

WHEREAS, The lot of ground on Smithfield street, in the city of Pittsburg, heretofore occupied by the German Evangelical Protestant church as a burying ground, is now located in a populous part of said city, and is no longer suitable for such purpose:

*And whereas*, The said church has purchased a suitable lot for a burial place on Troy Hill, near the city of Allegheny; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the trustees of the German Evangelical Protestant church, in Pittsburgh, be and they are hereby authorized to disinter and remove the dead bodies buried in the lot of ground occupied by said church on Smithfield street, in said city, and cause the same to be properly and carefully buried in the new burial ground belonging to said church, upon Troy Hill, near the city of Allegheny, or in such other burial ground in the county of Allegheny as the surviving friends or relatives may direct: *Provided*, That the gravestones and monuments that now designate or mark any particular graves, shall also be removed and erected upon the corresponding graves in such new burial ground, unless otherwise directed by such surviving friends and relatives.

Authorized to remove the dead, &c.

Proviso.

SECTION 2. That before any bodies shall be removed, as provided in the preceding section, the said trustees shall publish notice of such intended removal, for at least thirty days, in two German and two English newspapers in said city; and the costs of such removals and re-interments shall be paid by the said church.

Notice of removal to be given.

SECTION 3. That the said German Evangelical Protestant church, or the trustees thereof, shall have authority to improve, or lease upon ground rent or for years, all that lot of ground situated on the east side of Smithfield street, in said city, extending southwardly along said street from Strawberry alley one hundred and forty feet, and running back along said alley one hundred and twenty feet, and to apply the rents and profits received therefrom to the payment of the debts of said church, the maintenance of public worship, and such other congregational purposes as the said church may direct.

Authorized to improve and lease certain lot of ground.

Rents and profits of, how applied.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The eighteenth day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 79.

## A SUPPLEMENT

To an act, approved February twenty-sixth, one thousand eight hundred and fifty, entitled "An Act to incorporate the American College of Medicine."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

## LAWS OF PENNSYLVANIA,

the corporate title of the said "The American College of Medicine in Pennsylvania," be and the same is hereby changed; and the said corporation shall hereafter be known by the name, style and title of "The American College of Medicine in Pennsylvania, and the Eclectic Medical College of Philadelphia."

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The fifteenth day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 80.

## A N A C T

To pay the expenses of constructing Ventilators in the House of Representatives.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the state treasurer be and he is hereby authorized and required to pay Benjamin M. Feltwell the sum of five hundred and eighty-five dollars, in full for the construction of ventilators in the House of Representatives.*

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 81.

## A N A C T

To authorize the Orphans' Court of Westmoreland county to appoint a Guardian of the estate of Samuel Henderson, a deaf and dumb adult.

WHEREAS, It has been represented that Samuel Henderson, a son of Hugh Henderson, late of Westmoreland county, deceased, is deaf and dumb, and that by reason of his said infirmity is incapable of managing his estate, and that said Samuel Henderson is over the age of twenty-one years; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* 'That the orphans' court of Westmoreland county, should they deem it proper and necessary, be and they are hereby authorized and empowered and required, on the application of any next friend of said Samuel Henderson, to appoint a guardian for the said Samuel Henderson; and the guardian so appointed shall have the same powers, rights and privileges, and be subject to the same duties and accountability as guardians appointed by the orphans' courts of this commonwealth for minors under the age of fourteen years; and the said court shall have power to discharge said guardian for sufficient cause, and appoint others in his or her stead, from time to time, as fully and in the same manner as the said court may do under the existing laws in cases of guardians of minors under the age of twenty-one years. The guardianship of the said Samuel Henderson shall continue so long as the said court are satisfied that he, the said Samuel Henderson, remains incapable of managing his estate. The said guardian, before entering upon the duties of his or her appointment, shall give such security as shall be approved by the orphans' court of Westmoreland county.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-first day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 82.

## A N A C T

To prevent Cattle, Horses, Sheep and Hogs from running at large in the county of Delaware.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the first day of April next, no cattle, horses, sheep or swine shall be suffered to run at large, or upon the public roads or highways, in the county of Delaware, under the penalty of two dollars for each offence.

Animals not to run at large.

Penalty.

Duty of constables.

Owners may pay penalty, receive property, &c.

SECTION 2. That it shall be the duty of the constables within the said county, and they are hereby directed and empowered, without any special warrant or other authority than this act, to seize and secure every animal of the cattle, horse, sheep or hog kind that may be found running at large as aforesaid, and the same to sell at public sale in the same manner as is provided by law for selling strays, giving the owner, if he can be found, at least five days' notice previous to such sale. If said owner shall pay to the constable the said penalty of two dollars, and also pay for the expense of keeping said animal or animals, then it shall be the duty of the constable to deliver said animal or animals to the owners; but if he shall make a sale as aforesaid, he shall pay the overplus, after deducting the said penalty and expenses, to the owner, and the constable making such seizure shall be allowed for the same to retain one-half of the penalty, and it shall be his duty to pay the other half to the school treasurer of the township where such seizure was made, for the use of the schools of said township.

Neglect of duty by constable, penalty for.

SECTION 3. That if any constable shall neglect or refuse to seize or secure any animal aforesaid, found running at large, after being notified by any person to seize and secure the same, such constable shall pay a fine of five dollars, for the use of the schools of the township where the said constable resides, for every such neglect or refusal.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-second day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

## No. 83.

## A SUPPLEMENT

To the act to incorporate the Eastern Iron Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the sixth section of the act to incorporate the Eastern iron company, be so construed as to require the said company to pay into the treasury of the state a bonus of one-half of one per centum upon the capital stock actually subscribed at the organization of the said company, and upon any increased subscription thereafter; and so much of said section as is inconsistent with this act, be and the same is hereby repealed.

Construction of  
certain act.

SECTION 2. That the corporate name and title of said company be and the same is hereby changed to that of the "Allentown rolling mill company," under which name it shall have and enjoy all the rights and privileges, and be subject to all the restrictions of the original act, and of this supplement.

Name changed.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-second day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

## No. 84.

## A SUPPLEMENT

To an act to provide for the erection of a Poor House for the employment and support of the Poor in the county of Greene, approved the thirteenth day of April, Anno Domini one thousand eight hundred and fifty-eight.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the commissioners mentioned in the first section of the act to which this is a supplement, are empowered and authorized to contract for the erection of the necessary buildings on said farm, and to proceed to the erection thereof, and to draw their



orders on the treasurer of said county for the payment of said farm, and for the necessary buildings aforesaid; and it shall be the duty of the commissioners of said county to make provision for the payment of said orders as for other indebtedness of said county: *Provided*, Anything in the act to which this is a supplement, inconsistent herewith, is hereby repealed.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-fourth day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 85.

## AN ACT

To establish the Fogelsville Male and Female Academy, in the county of Lehigh.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* there shall be and is hereby established in the village of Fogelsville, in the county of Lehigh, an academy or public school for the education of youth in the English or other languages, and in the useful arts, sciences and literature, by the name, style and title of the Fogelsville male and female academy; the said academy to be under the direction, management and government of a board of trustees, not exceeding seven in number, a majority of whom shall form a quorum for the transaction of business; and the said trustees and their successors shall be and they are hereby erected, established and declared to be a body politic and corporate, with perpetual succession, with all the incidents of a corporation in deed and in law, to all intents and purposes whatsoever, by the name, style and title of the Fogelsville male and female academy; by which name and title the said trustees and their successors shall be able, in law and equity, to take for themselves and their successors, for the use of the said academy and estate, messuages, lands, tenements, hereditaments, goods, chattels, moneys or other effects, by gift, grant, bargain, sale, conveyance, assurance, will, devise or bequest of any person or persons whatsoever; and the same messuage, lands, tenements, hereditaments, goods, chattels, moneys and estates, real or personal, to grant, bargain, sell, convey, assure, demise, and to farm, let or otherwise dispose of, or invest in such manner as to

School estab-  
lished.

Name.

Trustees.

Powers.



them, or a quorum of them, shall seem most beneficial to the institution, and to receive the rents, issues, profits, income and interest of the same for the use of the said academy; and by the same name to sue and be sued, prosecute and defend, implead and be impleaded in any courts of law or equity, and in all manner of suits and actions whatsoever, and generally by and in the same manner to do and transact all and every business, touching as fully and effectually as any natural person has power to manage his own concerns: *Provided*, That the quantity of land held by the said corporation shall not be other or greater than necessary for the purpose of said academy. Proviso.

SECTION 2. That the said trustees shall cause to be made for their use one common seal, with such device and inscriptions thereon as they shall think proper, and therewith all deeds, certificates and acts of said corporation shall be authenticated; and the same seal the said trustees may at their pleasure break and alter, and also, if they think proper, devise a new one. Seal.

SECTION 3. That William A. Helfrich, Henry J. Haberacker, Simon Troxell, Willoughby Fogel, Henry Helfrich, Solomon Peter, John H. Fogel, John F. Seiberling, Jonas Meyer, Edwin Kromlich, Henry Stine, William C. Lichtenwalter, Levi Kromlich, John H. Lichtenwalter, Thomas Litzenberger, Henry Stetler, Samuel Kuntz, Solomon Fogel, Daniel Meyer, Harman Rupp, Alfred Steinberger, Benjamin Rupp, Solomon Stetler, David Eisenhard, William B. Fogel, Isaac Humel and Elias Lichtenwalter, who shall, by a majority of them, elect by ballot seven of them to serve as appointed trustees of said corporation, who shall have power to fill all vacancies which shall occur in their body; and on the last Saturday in the month of December, one thousand eight hundred and sixty, at which time, and on the same day of each year annually thereafter, the stockholders of said academy shall elect by ballot, by a majority of the votes present, to be given in person, duly authorized, seven trustees instead of those above named, who shall continue in office for one year, or until others are duly chosen and qualified. The said board of trustees shall always, and at all times, have power to fill vacancies in their body, as above mentioned; and no person shall be permitted to serve as trustee who is not a shareholder in said institution; and the said trustees shall, on their first meeting after every subsequent election, choose out of their number one person to act as president, one person to act as secretary, and one treasurer, who shall serve as such during said year, and until others are appointed by said trustees: *Provided*, That no person shall have more than five votes at any election, whatever number of shares he or she may be entitled to, and that each stockholder shall be entitled to one vote for each share of stock by him or her held under said number: *And provided*, That such election may be held at the place, and conducted according to the rules that may be prescribed by the by-laws and ordinances of said academy. Trustees.

Election.

Vacancies, how filled.

Officers.

Proviso.

Votes.

Proviso.

SECTION 4. That the said trustees herein named, or any seven of them, are hereby authorized to open books on or before the first Saturday of October next, and enter therein as follows: We whose names are hereunto subscribed, do promise to pay to the trustees of the Fogelsville male and female academy, the sum Trustees to open books, receive subscriptions to stock, &c.

of ten dollars for every share of stock set opposite to our respective names, in such manner and proportions, and at such time or times, as shall be required by said trustees, the whole of said stock by each of us subscribed to be paid within one year from the time of subscribing the same. And shall thereupon proceed to receive subscriptions for the stock of the said corporation, not exceeding in the whole the sum of five thousand dollars, divided into shares of ten dollars each, at such times and places as they may deem advisable; and it shall be lawful for any person or body politic or corporate to subscribe for as many shares as he, she or they may think proper; he, she or they paying, at the time of subscription, to the attending trustees, one dollar for every share of stock subscribed.

Stock.

SECTION 5. That the said trustees shall procure written or printed certificates, and deliver to each stockholder a certificate, signed by the president of the board of trustees, countersigned by the secretary, and sealed with the seal of the said corporation, for the share or shares of stock by him, her or them held or subscribed, upon the payment to the treasurer of the full sum due thereon; and such certificates of stock shall be transferable at pleasure, in person or by attorney, in presence of the president or treasurer of said corporation; and the assignee holding any certificate, first having caused the assignment to be entered on the book to be kept for that purpose by the said trustees, shall be deemed a member of the said corporation, and entitled to all the rights and privileges of an original subscriber to said stock.

When buildings  
to be erected.

SECTION 6. That as soon as in the opinion of said board of trustees a sufficient amount of stock is subscribed, the trustees herein named, or any seven of them, or their successors, shall erect, or cause to be erected, in a substantial and workmanlike manner, such building or buildings, of brick, stone or other materials, as they may deem necessary and proper, to be located by them in some suitable and convenient place in the village of Fogelsville, in the county of Lehigh, aforesaid.

By-laws.

SECTION 7. That the said trustees, or any seven of them, shall have power to enact such ordinances and by-laws, not inconsistent with the laws and constitution of the United States or of this commonwealth, as may be necessary and proper for the government of said academy.

Quorum.

SECTION 8. That a majority of the board of trustees shall form a quorum, who, in the absence of the president, may appoint a president *pro tempore*.

Trustees to re-  
ceive subscrip-  
tions, &c.

SECTION 9. That said trustees shall be authorized to receive subscriptions, in sums of any amount, for the purpose of purchasing real estate, books, philosophical apparatus, or other property necessary for the affairs of the said corporation, and to give such subscribers, provided the subscription amounts to ten dollars, a certificate under the seal of said corporation, which certificate shall constitute the holder thereof a shareholder; and the said trustees may, if they deem it expedient, after having collected and received the rents and compensations for the real and personal estate belonging to said corporation, to divide rateably among the shareholders, after having first deducted all necessary charges and expenses for repairs, taxes and the due management of said academy.

SECTION 10. That no misnomer of said corporation shall defeat or annul any gift, grant, devise or bequest to the said corporation: *Provided*, That the intent of the parties shall sufficiently appear in said gift, grant, will or other writing, whereby any estate, or interest in anything real or personal, was intended to pass to the said incorporation. Misnomer.  
Proviso.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-fourth day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 86.

## A N A C T

Authorizing the laying out of a State road beginning at the town of Moshanon, in Centre county, to Kylertown, in Clearfield county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That James Gilliland, John T. Hoover, of Centre county, and John B. Kyler, of Clearfield county, be and the same are hereby appointed commissioners to view, lay out and mark a state road, beginning at the town of Moshanon, in Snow Shoe township, in Centre county, thence by the best route, crossing the Big Moshanon, to Kylertown, Morris township, Clearfield county. Commissioners.  
Route.

SECTION 2. That it shall be the duty of said commissioners, or a majority of them, after taken and subscribing an oath or affirmation before a justice of the peace, to perform the duties enjoined upon them by this act with fidelity and impartiality, to carefully view the ground on which the said road may pass, and lay out and mark the same upon the ground, or the route agreed upon by them for the road aforesaid, in such manner as to enable the supervisors readily to find the same; and for the purpose of fulfilling the duties in this act enjoined, the said commissioners, or a majority of them, are hereby enjoined to employ one surveyor at a per diem allowance not exceeding three dollars, two chain carriers at a per diem allowance not exceeding one dollar and fifty cents each; and the said commissioners, respectively, shall receive a per diem allowance not exceeding two dollars and fifty cents for each day necessarily employed in the discharge of the duties enjoined by this act, which shall be paid by the treasurers of the counties through which the road may

Duty of commis-  
sioners.  
Compensation.  
How paid.

be laid out, upon the rendition of the accounts of said commissioners, in proportion to the time employed in each county.

Drafts to be made  
out, and when  
deposited.

SECTION 3. That it shall be the duty of said commissioners to make out two fair and accurate drafts of the location of said road, respectively noting the courses and distances as they occur, with such other matters as may serve for explanation, one copy whereof to be deposited in the office of the clerk of the court of quarter sessions in the respective counties through which the road may pass, on or before the first day of June next; and from thenceforth the said road shall be a public highway, and shall be opened to a width of thirty feet, and at a grade of three degrees, if practicable, and not to exceed four degrees from a horizontal plane, and be repaired as all other roads laid out by the courts are made and repaired.

Width.

Vacancies, how  
supplied.

SECTION 4. That the said commissioners shall proceed, as soon as practicable, to complete the location of the said road; and if any vacancy occur in their number, by death, resignation or otherwise, the same shall be supplied by the remaining commissioner or commissioners selecting a suitable person or persons to constitute a board of at least three members.

Supervisors,  
duty of.

SECTION 5. That it shall be the duty of the supervisors of the several townships through which the said road shall pass, upon notice given, to proceed to open and make said road, under the same provisions as if the said road had been laid out by the respective courts of quarter sessions.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-fourth day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 87.

## A N A C T

To incorporate the Strasburg and New Providence Turnpike Road Company.

Commissioners.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* John F. Herr, Henry N. Breneman, Henry Musser, John Peoples, Abraham Mylin, John Hildebran, Adam Herr, Cyrus N. Herr, John K. Raub, Henry Bear, Christian Rowe, Hervey Brackbill, Henry Neff, Robert P. Spencer, Abraham Groff, John

Musselman, Henry Musselman, Aldas J. Neff and Jefferson N. Neff, or any five of them, be and they are hereby appointed commissioners to open books, receive subscriptions, and organize a company by the name, style and title of the Strasburg and Style. New Providence turnpike road company, with power to locate and construct a turnpike road from Main street, in the borough of Strasburg, Lancaster county, to a point at or near the public house of Anthony Baldwin, in the village of New Providence, Route. Lancaster county; subject to all the provisions and restrictions Subject to. of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the several supplements thereto, so far as they are not inconsistent with this and the following sections.

SECTION 2. That the capital stock of the said company shall Capital stock consist of eight hundred shares, at twenty-five dollars each: *Provided*, That the said company may, by a vote of the stock- Proviso. holders, at a meeting called for the purpose, increase the capital stock so much as may be necessary to complete the said road, and to carry out the true intent and meaning of this act.

SECTION 3. That whenever said company shall have finished Tolls. said road, notwithstanding its length is less than five miles, the same proceedings may be had to enable the said company to erect and fix toll gates upon the same, and collect tolls, as is provided in the aforesaid act of assembly in relation to turnpike and plank road companies.

SECTION 4. That the said company may use all or such parts May use streets. of streets or public township roads existing between the points aforesaid, as shall be deemed practicable and beneficial to the interests of the said company.

SECTION 5. That the said company shall be required to com- Limitation. mence the said road within one year from the passage of this act, and finish the same within three years.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-fourth day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.



No. 88.

## AN ACT

For the relief of Nancy Daub, widow of an old Soldier.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the state treasurer be and is hereby authorized to pay to Nancy Daub, of Lebanon county, widow of Dillman Daub, deceased, a soldier of the Revolutionary war, a gratuity of forty dollars, and an annuity of forty dollars during her life, payable half yearly, and dating from the first day of January, Anno Domini one thousand eight hundred and sixty, payable half yearly on the first of January and July.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-fourth day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 89.

## AN ACT

Relating to Roads and Bridges in the county of Lehigh.

Certain act extended to.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the provisions of the twelfth section of an act, entitled "An Act concerning roads and highways in the county of Crawford," approved the second day of March, Anno Domini one thousand eight hundred and fifty-four, and the second, third, fourth, fifth and sixth sections of an act, entitled "An Act to amend the road law, and change the manner of assessing damages in the opening of public and private roads in the county of Franklin," approved the twenty-third day of March, Anno Domini one thousand eight hundred and fifty-four, be and the same is hereby extended to the county of Lehigh.

SECTION 2. That all acts of assembly supplied by this act or <sup>Repeal.</sup> inconsistent herewith, except the general road law, passed the thirteenth day of June, one thousand eight hundred and thirty-six, and as much of the last named law as is inconsistent herewith, are hereby repealed, so far as regards the county of Lehigh.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-fourth day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 90.

## A SUPPLEMENT

To an act to erect the town of Bedford, in the county of Bedford, into a borough.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter the election for borough officers in the borough of Bedford, shall be held during the same hours fixed for the election of inspectors and assessors for said borough, on the third Friday in March of every year.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-fourth day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.



## No. 91.

## SUPPLEMENT

To the act to incorporate the Wilkesbarre and Kingston Passenger Railway Company, approved the fourteenth day of April, A. D. one thousand eight hundred and fifty-nine.

May occupy certain streets and alleys.

Subject to.

Control of motive power, &c.

Toll.

Proviso.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the said railroad company may occupy any of the streets and alleys in the borough of Wilkesbarre and Kingston, subject to the provisions, exceptions and provisos of the fourth section of the act incorporating the same, and may occupy not exceeding twelve feet in width on one side of the road leading from the bridge across the Susquehanna to the borough of Kingston: *Provided, That* the said company shall keep the said road in good repair, at their own expense.

SECTION 2. The said company shall have the exclusive control of the motive power, cars, and all other matters and things connected therewith; and may, from time to time, demand, establish and receive such rates of toll and compensation for the conveyance of passengers, and the transportation of merchandize and other commodities, as the president and directors shall deem reasonable: *Provided, That* the said railroad shall never be used for the purpose of carrying anthracite coal.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-fourth day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

## No. 92.

## SUPPLEMENT

To an act relative to opening a State Road in the township of Lower Merion, Montgomery county, approved April twenty-second, one thousand eight hundred and fifty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* so much of the aforesaid act, contained in section third, as pro-

vides that the security of the contractors shall be approved of by the meeting mentioned in said section, shall be and the same is hereby repealed, and that the supervisors shall have full power and are hereby authorized to make such contracts as shall seem to them equitable and just: *Provided*, That the court of quarter sessions of Montgomery county shall have full authority to order the opening of said road, and that before the opening thereof the order of the court shall first be obtained.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-fourth day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

### No. 93.

### AN ACT

To repeal the act, entitled "An Act to incorporate the Armstrong Gas Company," approved the fifteenth day of April, one thousand eight hundred and fifty-nine, and for other purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the act of assembly, entitled "An Act to incorporate the Armstrong gas company," approved the fifteenth day of April, one thousand eight hundred and fifty-nine, be and the same is hereby repealed. Repeal.

SECTION 2. That the act of assembly, entitled "A supplement to an act to incorporate the Kittanning gas company," approved the twenty-sixth day of March, eighteen hundred and fifty-nine, be and the same is hereby repealed. Repeal.

SECTION 3. That the Kittanning gas company may proceed, at any time, to elect officers under their charter, to serve until the next general election thereafter, giving the notice prescribed by their charter: *Provided*, That the said Kittanning gas company shall and will commence practical operations within a period of six months from the passage of this act, otherwise this said act to become null and void. Election of officers.  
Proviso.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-fifth day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 94.

## A N A C T

To revive an act relating to the Lackawanna Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That an act, entitled "A further supplement to an act to incorporate the Lackawanna and Susquehanna railroad company," passed the sixth day of April, Anno Domini one thousand eight hundred and fifty-eight, which said act failed by non-payment of the enrollment tax, be and the same is hereby revived and continued in force: Provided, That said tax shall be paid within sixty days from the passage of this act.*

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-fifth day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 95.

## A N A C T

Relative to Road Commissioners, Pathmasters and Town Clerk in the township of Mill Creek, in the county of Erie.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That section first of the act of April eighth, one thousand eight hundred and and forty-six, entitled "An Act relating to the election of pathmasters in the county of Erie, and for other purposes," be and the same is hereby repealed so far as relates to Mill Creek township aforesaid; and the road commissioners of said township are hereby authorized and directed to appoint pathmasters (on the expiration of the term of office of the pathmasters now in office) for the several road districts in said township, in accordance with the provisions of the nineteenth section of act of thirteenth April, one thousand eight hundred and forty-three.*

Repeal.

Pathmasters, appointment of.

SECTION 2. That the road commissioners of said township shall hereafter be entitled to receive one dollar and fifty cents each for every day necessarily spent in the performance of their official duties. Compensation.

SECTION 3. That said road commissioners are hereby authorized to employ a clerk to keep a record of their proceedings and of their accounts; said clerk shall also perform the duties of a town clerk whenever the office of town clerk may be vacant, and shall be entitled to the same fees for the performance of the duties of town clerk that town clerks are by law entitled to receive. Road commissioners authorized to employ clerk.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-seventh day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 96.

## AN ACT

To incorporate the Columbia Insurance Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Christian S. Kauffman, Jacob B. Shuman, Mathew M. Strickler, Wyatt W. Miller, Henry R. Knotwell, Henry E. Wolf, Jacob Seitz, Michael H. Moore, George Young, junior, and all other persons who may hereafter associate with them in the manner hereinafter prescribed, shall be a corporate body, by the name of Columbia insurance company; and shall have power and authority to make contracts of insurance with any person or persons, or any body politic or corporate, against loss or damage by fire or otherwise, for such term or terms of time, and for such premiums or consideration, and such modifications and restrictions as may be agreed upon between the said corporation and the persons agreeing with them for said insurance. Corporators. Powers.

SECTION 2. That the office of said corporation shall be located in the borough of Columbia, Lancaster county, Pennsylvania; and all persons who shall hereafter insure with the said corporation, and their executors, administrators and assigns continuing to be insured therein, shall thereby become members thereof during the period they shall remain insured by said corporation, and no longer. Location of office. Members.

## Directors.

SECTION 3. That the affairs of said corporation shall be managed by a board of not less than nine nor more than thirteen directors, a majority of whom shall constitute a quorum for the transaction of business. Christian S. Kauffman, Jacob B. Shuman, Mathew M. Strickler, Wyatt W. Miller, Henry R. Knotwell, Henry E. Wolf, Jacob Seitz, Michael H. Moore and George Young, junior, shall be the first directors of said corporation, and shall respectively hold their offices as directors until their successors shall be appointed, as follows: Henry R. Knotwell, Jacob Seitz and Michael H. Moore for one year, Jacob B. Shuman, Wyatt W. Miller and Henry E. Wolf for two years, Christian S. Kauffman, Mathew M. Strickler and George Young, junior, for three years, respectively, from the first day of February, one thousand eight hundred and sixty; the first election of directors shall be held at the office of the company on the first Monday in February, one thousand eight hundred and sixty-one, and annually thereafter; and the persons chosen as directors at any annual election, shall respectively hold their offices for the term of three years, and until others are chosen in their places; notice of such elections shall be published in some public newspaper in said county, at least two weeks preceding such election; said election shall be held under the inspection of three members not being directors, who shall be appointed by the board of directors; the directors shall be elected by the members of the company holding policies therein, or their proxies then present; and one vote shall be allowed on every one hundred dollars insured.

## Terms of office.

## First election of directors.

## Terms of office.

## Votes.

## Officers.

## Terms of office.

## Rates of insurance.

## Election of officers, relative to.

SECTION 4. That the board of directors shall elect a president, vice president, secretary and treasurer, and also an executive committee of their own members, all of whom shall hold their offices during the term for which they may be elected, not exceeding three years at any one election, and may appoint such subordinate agents and officers as they may deem necessary; the executive committee shall consist of the president, secretary and three other directors, a majority of whom may at all times act, and when the board of directors is not in session, may exercise all the powers vested in this company, except as shall be otherwise provided for by said board in their by-laws.

SECTION 5. That the rates of insurance shall be, from time to time, fixed and regulated by the directors of the company; and the premium notes received from the insured shall be paid at such time or times, and in such sum or sums as the directors of said company shall from time to time require; and any person applying for insurance may pay a cash premium, in addition to a premium note or a definite sum of money, in full for said insurance.

SECTION 6. That if it shall at any time happen that an election of president, secretary or directors shall not be made on any day when, pursuant to this act, it ought to have been made, this corporation shall not for that cause be deemed to be dissolved, but it shall be legal on any other day to hold and make an election of directors and officers, in such manner as shall have been regulated by the by-laws and ordinances of said corporation; and the directors of this company shall have power to fill all vacancies happening in the board from death, resigna-



tion or otherwise: *Provided*, That an increase of the number of directors can only be made at an annual election of directors. Proviso.

SECTION 7. That every member of said company shall be bound to pay for all losses, and the necessary expenses accruing in and to said company, in proportion to the amount of his deposit note; and suits at law may be maintained by said corporation against any of its members for the collection of said deposit notes or any assessment thereon, or for any other cause relating to the business of said corporation; also, suits may be maintained by any member thereof against said corporation for losses, if payment is withheld more than four months after the company are duly notified of such loss, and the terms of insurance complied with. Liability of members.

SECTION 8. That whenever an assessment is made on any premium note given to said company, in consideration for any policy of insurance issued by said company, and an action is brought for the recovery of such assessment, the certificate of the secretary, specifying the assessment and the amount due on such note by means thereof, shall be taken and received as *prima facie* evidence thereof in all courts of this commonwealth. Premium notes, relative to.

SECTION 9. That it shall be the duty of the secretary, in January each year, to publish, in one or more newspapers in Lancaster county, a statement of the affairs of the company. Secretary to publish statement.

SECTION 10. That the directors shall have power to make, from time to time, such by-laws, not inconsistent with this act and the constitution and laws of this state, as may be necessary for the government of its officers and conducting of its affairs; and every member of this company shall be bound by the provisions of this charter and such by-laws. By-laws.

SECTION 11. That the corporation hereby created shall be capable of contracting and being contracted with, of suing and being sued, of pleading and being impleaded, in all courts and places, and in all matters whatsoever, with full powers to hold, possess, use and occupy, and enjoy all such real estate as shall be necessary for the transaction of its business, or which may be conveyed to said company as security, or in payment for debts that may be due or owing to said company, or in satisfaction of any judgment of any court of law, or any order or decree of a court of equity in their favor, and to sell and convey and dispose of the same; and may have a common seal, and use it at pleasure; and to receive all proposals and applications for insurance in writing, as a warranty on the part of those insuring, and to base policies of insurance thereon, and to incorporate the same as a part of the contract between the company and the insured, and for the purpose of defining the rights of the contracting parties. Powers and privileges.

SECTION 12. That all policies or contracts of insurance which may be made or entered into by said corporation, shall be subscribed by the president and secretary, or such other officers as shall be designated for that purpose by its by-laws; and being so signed, shall be binding on said company, with or without the seal thereof, according to the true intent of such policy or contract. Contracts, relative to.

SECTION 13. That the said company shall also be empowered, if they see proper, to take risks against fire on all kinds of mer- Risks, relative to.

chandize, buildings or other property, of whatever nature or quality, either limited or perpetual; and also to effect marine and inland insurance on vessels, boats, cargoes and freights, and on merchandise and all other property transported on rivers, canals, lakes and railroads, and by steamboats, wagons or otherwise, and to execute such agreements, policies and other instruments as may be necessary to effect the same.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-fifth day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 97.

## A SUPPLEMENT

To an act regulating the manner of collecting Taxes in Lancaster county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the acts of assembly which provide that the collection of taxes in Lancaster county shall be given to the lowest bidder, shall be so construed as to authorize the commissioners of said county to give the collection of such taxes to the person who is the lowest, and, in the opinion of said commissioners, the best bidder.*

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-seventh day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.



No. 98.

## AN ACT

Relative to Taxes, Rates and Levies payable to the city of Allegheny.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all taxes, rates and levies, (except street assessments,) payable to the city of Allegheny, shall be payable at the office of the city treasurer; and said treasurer shall make allowance to all payers of taxes, rates and levies aforesaid, who shall pay the same in the year for which they are assessed, as follows, viz:

Five per cent. if paid on or before the first day of July. Taxes, rates and levies, where paid.

Four per cent. if paid on or before the first day of August. When paid.

Two per cent. if paid on or before the first day of September.

If paid after the first day of September, and on or before the first day of October, no deduction shall be made.

If paid after the first day of October, and on or before the first day of November, an addition of five per cent. shall be added to and payable on the same.

And if not paid until after the first day of November, then an addition of ten per cent. shall be added to and payable on the same.

SECTION 2. From and after the passage of this act, all taxes, rates, levies and assessments which may be lawfully imposed or assessed by the city of Allegheny, or by authority thereof, on any real estate in said city, by provisions of this or any other act of assembly, shall be liens on said real estate, (together with all additions to and charges on said taxes, rates, levies and assessments;) and said liens shall have priority over, and be fully paid and satisfied, before any other lien whatever (except other taxes) on said real estate. Taxes to be liens on real estate.

SECTION 3. The treasurer shall render each and every day, or as often as required, to the chairman of the finance committee of the councils of said city, an account of each item of his receipts; and shall on the first day, or within the first week of September annually, give public notice, in such newspaper as councils have authorized to do the printing of said city, to all persons who shall have omitted to pay their taxes, rates, levies or assessments aforesaid, requiring said delinquents to pay the same on or before the first day of October next following after said day; and that if the same be not paid on or before said first day of October, then five per cent. will be added to and made payable thereon: *Provided*, The same be paid on or before the first day of November next following; and that if the same be not paid on or before the said first day of November next following, then ten per cent. shall be added thereto and made payable thereon. Treasurer to render an account of items of receipts.

SECTION 4. It shall be the duty of the treasurer to issue his warrants before the fifth day of said month of November, di- Notice to be published of persons who omit to pay taxes.

*When treasurer to issue his warrants.*

rected to the ward constable of each ward respectively, or to any other qualified voter thereof, having first obtained adequate security (approved by the finance committee of councils) for the performance of his or their duty, commanding each of them to levy said taxes, with all costs and charges accrued thereon, of any goods and chattels of the delinquents wheresoever found, and to make sale thereof, after advertisement, as in cases of distress for rent; which warrant shall be returnable within twenty days.

How taxes collected for want of goods and chattels.

SECTION 5. In case any of said collectors shall return to said treasurer that any of said taxes cannot be collected for want of goods and chattels on which to levy, the said treasurer shall certify the same in each case to the city solicitor, whose duty it shall be to file said certificate in the office of the prothonotary of the district court of Allegheny county, (and said prothonotary shall enter the same on the judgment docket, as judgments are entered;) and a writ of *fieri facias* shall forthwith be issuable thereon, by virtue of which the sheriff of Allegheny county shall levy upon and sell the real estate upon which said taxes have been assessed, on or before return day, or within six days thereafter; which sale shall vest in the purchaser of said real estate all the right, title and interest of the defendant in said writ, of, in and to said real estate so sold.

Treasurer to furnish certificates of all taxes.

SECTION 6. The treasurer shall, on demand and tender of fees, furnish certificates of all taxes which are a lien on real estate, and shall be entitled to receive a fee of twenty-five cents for each said certificate, and five cents for each lien certified.

Water tax, relative to collection of.

SECTION 7. If at any time during the year any tenant or occupier of premises shall be about to remove from the same, the water taxes assessed thereon being unpaid, or any part thereof, the treasurer may, upon the oath of the landlord or any collector to that effect, issue a warrant to collect said taxes forthwith.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-seventh day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 99.

## SUPPLEMENT

To an act to incorporate the Broad Top Improvement Company, approved the twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the president and directors of the Broad Top improvement company, for the purpose of paying the debt and carrying on the business of said company, be authorized and empowered to create a preferred stock to the extent of the present number of shares of said company, being twenty thousand shares of fifty dollars each.

Authorized to create preferred stock.

SECTION 2. That all the present stockholders of the company shall be notified, in writing, of the creation of said preferred stock, and shall have priority, in subscribing to said stock, in proportion to their respective interests; and shall also be entitled to pay at least nine-tenths of their subscription in the stock of the company now held by them, and such further proportionate amount as the directors may determine: *Provided*, That the funds received for the preferred stock so issued, shall be applied to liquidating the debt of the company: *And provided further*, That after said debt shall be liquidated there shall be no notes issued by this company through any of its officers; and payment for all work, merchandise or materials of any kind furnished for the use of the company, shall be made upon such pay day as shall be established by the company, which shall be weekly, semi-monthly or monthly, but not at longer intervals; and if any officer of the company shall contract any debt in violation of this act, he shall be personally responsible for the amount of said debt.

Stockholders to be notified of the creation of preferred stock.

Proviso.

Proviso.

SECTION 3. That the holders of the said preferred stock shall be entitled to receive, from the earnings of the company, an interest or dividend of six per centum per annum upon its par value, before any interest or dividend shall be declared or paid in favor of or to any holder of the unpreferred stock of the company.

Interest on preferred stock, relative to.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-seventh day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 100.

## A N A C T

To incorporate the Pymatuning Mutual Fire Insurance Company, of Mercer county.

Corporators.	<p>SECTION 1. <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,</i> That Nathan Morford, Jesse Fell, David Kamrer, S. M. Loveland, Samuel Weartman, Peter Reichard, Joseph Hause, John Adams, Charles Bortz, Peter Rickert, junior, Daniel Bortz, Andrew Bush, W. H. Clark, Aaron Blank, F. J. Bean, Jacob Klingensmith, Abram Ludwig, Cephas Comstock, Peter Pauly, John Durst, Robert M'Kean and H. George, and all other persons who may hereafter associate with them, in the manner hereinafter prescribed, shall be a body politic and corporate, by the name of the Pymatuning mutual fire insurance company of Mercer county ; and by that name shall have perpetual succession, and may sue and be sued, and hold, purchase, receive and convey real and personal estate, may have and use a common seal, and the same alter at pleasure, and make all by-laws for the management of its property and the regulation of its affairs, not inconsistent with any existing law of this commonwealth ; but nothing herein contained shall be so construed as to give unto said corporation any banking powers or privileges.</p>
Name.	
Seal.	
By-laws.	
Powers and privileges.	<p>SECTION 2. That in addition to the general powers and privileges of a corporation, as the same are declared by the foregoing section, the corporation hereby created shall have the power to insure against losses by fire or damage by lightning upon any house, tenement, barn, manufactory, store, warehouse or other building, and on hay, grain or other agricultural products contained therein, or upon the land, or in stacks, sheds or otherwise, and upon buildings generally, and upon all kinds of stock usually raised on farms, and to make, execute and perfect such and so many contracts, bargains, policies and other instruments as shall or may be necessary, and as the nature of the case may require.</p>
Persons insuring to become members.	<p>SECTION 3. That all persons who shall hereafter become insured in said company, also their heirs, executors, administrators and assigns, continuing to be insured in said company, shall thereby become members for and during the period they shall remain so insured, and no longer.</p>
Directors.	<p>SECTION 4. That all the corporate powers of the said company shall be exercised by a board of five directors, and such officers and agents as they from time to time may appoint. The persons named in the first section of this act, or a majority of them, shall meet in the village of Hamburg, in Delaware township, said county, within sixty days from the passage of this act, and from their number elect five persons to serve as directors for one year, and thence annually thereafter shall meet at such time and</p>
Where and when to meet.	
Election.	

place as they may direct by their by-laws; and every election for directors shall be by ballot, to be decided by a majority of the votes cast, each member being entitled to one vote; said elections shall be conducted by three members of the corporation, not directors nor candidates, to be appointed by the directors for that purpose; twenty days' public notice of the election to be given in at least one newspaper in the county. Votes.

SECTION 5. That a majority of the directors shall constitute a quorum for the transaction of business, may determine the rates and terms of insurance, and limit the amount to be insured. Quorum.

SECTION 6. That in case any assured named in any policy or contract of assurance made by this corporation, shall assign, convey, pledge or incumber the subject insured, it shall be lawful for such assured to assign and deliver to such purchaser, assignee or person holding such incumbrance, such policy or contract of insurance; and such assignee of the policy shall have all the benefit thereof, and may maintain suit thereon in his own name: *Provided*, That before any loss shall have been sustained, the president or secretary shall have endorsed thereon his approval of said transfer, according to their by-laws. Assigning property insured, relative to.  
Proviso.

SECTION 7. That the directors shall, with all convenient speed, after having received notice of any loss by fire sustained by any of their assured, settle a rate of contribution according to the amount deposited, and publish the same in the manner required by their by-laws; and when such rate shall exceed the dividends of interest or profits of all moneys deposited, all and every member of said company shall pay into the hands of the treasurer his, her or their proportionable part of such rate, within sixty days after publication as aforesaid; and in default of such payment, every of them making such default shall forfeit and pay double the said rates; and neglecting to pay said forfeiture for thirty days more, the directors shall exclude him from any benefit of his insurance, and all right to the stock of this corporation, and notwithstanding he or they shall be liable to pay the said rates according to his, her or their contract or engagement. Rate of contribution to be settled immediately after fire.  
When contribution to be paid.

SECTION 8. That suits at law may be maintained by said corporation against any of its members for any cause relating to the business of the corporation; also, suits at law may be maintained by any member against the corporation for any losses or damage by fire or lightning, if payment be withheld over three months after the company is notified of such loss. Suits at law, relative to.

SECTION 9. That the officers of the corporation shall once every year cause a statement to be made of the affairs of the company, and a balance to be struck of the profit and loss account; and each member shall be charged or credited with his share of the profit or loss, as the case may be. Annual statement to be made.

SECTION 10. That within thirty days after the annual meeting for the election of directors in every year, it shall be the duty of the secretary to make and publish, in at least one newspaper in the county, a balance statement of the affairs of the company; such statement shall contain: Statement to be published.

I. The amount derived from deposits, premiums, interest on loans, et cetera, during the year.

II. The amount of the expenses of the company for the same period.



III. The amount of losses incurred.

IV. The amount on hand, the kind of securities on which any money has been loaned, et cetera, and generally a full exposition of the affairs of the company.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-seventh day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 101.

## AN ACT

To provide for the Taxation of Non-resident Venders of Merchandize in the county of Dauphin.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter it shall not be lawful for any person or persons to sell within the county of Dauphin, by sample, card or other specimen, any goods or merchandize of any kind or description whatsoever, for or on account of any merchant, manufacturer or other person, not having his principal place of business within this state, and to whom a license has not been granted under the laws of this commonwealth; and if any person shall sell, or exhibit for sale, either by sample, card or otherwise, in the said county of Dauphin, any goods or merchandize, in violation of the provisions of this act, such person or persons, so offending, shall be liable to a fine of fifty dollars for every such offence, which may be recovered by a suit in the name of the commonwealth, before any justice of the peace of the said county of Dauphin, one-half to the use of the informer, who shall be a competent witness in such case, and the other half to be paid to the treasurer of said county, for the use of the commonwealth.

Persons prohibited from selling by card or sample.

Fine.

Treasurer may grant licenses to sell, &c.

SECTION 2. That a license to sell goods and merchandize within the said county of Dauphin, by sample, card or otherwise, shall be granted by the treasurer of said county, to any person who may not have his principal place of business within this state, on payment to the said treasurer, for the use of the commonwealth, one hundred dollars; but no license so granted shall authorize such person to vend goods or merchandize in the man-



ner aforesaid, for a longer period than one year from the day on which it may be issued.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-seventh day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 102.

## A N A C T

To stay proceedings against the sureties of Nicholas B. Snyder, late Treasurer of the county of Somerset.

WHEREAS, Edward Scull, John J. Schell and Cyrus Benford, sureties to the state for Nicholas B. Snyder, late treasurer of Somerset county, have become liable, by the defalcation of the said Snyder, to pay to the commonwealth between four and five thousand dollars:

*And whereas*, The said Snyder has real estate which will discharge a large portion of said defalcation, if not sacrificed by a forced sale; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That all proceedings be stayed against the sureties of the said Nicholas B. Snyder, for the term of two years from and after the passage of this act: *Provided*, That the said sureties pay interest at the rate of six per cent. per annum on said indebtedness.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-eighth day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 103.

## AN ACT

Relative to Hawkers and Pedlers in Butler county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the provisions of the first section of the act of seventeenth of April, one thousand eight hundred and forty-six, relating to pedlers in Schuylkill county, are hereby extended to Butler county.*

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-eighth day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 104.

## AN ACT

To vest the title in and to enable the School Directors of Toby township to sell a certain lot of land in Clarion county, and apply the proceeds thereof.

Preamble.

WHEREAS, Robert H. Rose, trustee of the estate of the late William Bingham, did, on the twenty-seventh day of January, one thousand eight hundred and thirty-seven, convey by deed in fee simple, a certain lot or parcel of land, in Toby township, Armstrong county, (now Clarion,) to Thomas Hagerty and his successors, in trust forever, for school purposes, the said Thomas Hagerty since dying without transferring said trust:

*And whereas,* The school directors of said township being desirous to secure another lot more suitable, and build a new school house thereon, for the uses and purposes designed by the original grantor; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

the title to the lot or parcel of land situated in Toby township, Clarion county, and described as follows: Beginning at a rock oak; thence by lands of Thomas Hagerty and Thomas Stewart east thirty-four perches to a post; thence by lands of Thomas Stewart south fifty perches to a chestnut; thence by land of Samuel Stevenson west thirty-four perches to a hickory; thence by land of Thomas M'Call north fifty perches to the place of beginning; containing ten acres, being the same lot of land conveyed by the said Robert H. Rose to Thomas Hagerty, in trust for school purposes, shall be and the same is hereby vested in the school directors of Toby township, and their successors in office forever, for the uses and purposes above named.

Certain lot vested in school directors.

SECTION 2. That the school directors of Toby township are hereby authorized to sell said lot of land, with the appurtenances thereto belonging, to the highest and best bidder, either by public or private sale, and by deed convey the same to the purchaser thereof, in fee simple, and apply the proceeds thereof in procuring a more suitable situation, and erecting a school house thereon, and make such other improvements as may be for the interest and benefit of the public school therein held, according to the intention of the original donor.

Directors authorized to sell lot.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-eighth day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 105.

## A N A C T

[To legitimate Caroline, Edward and Alburtus Luden.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Caroline Musser Luden, Edward Musser Luden and Alburtus Musser Luden, children of Jacob Luden and Sarah Ann Luden, of Reading, Berks county, shall have and enjoy all the rights, benefits, privileges and advantages of children born in lawful wedlock; and shall be able and capable, in law, to inherit and transmit any estate whatsoever, as fully and completely, to all

## LAWS OF PENNSYLVANIA,

intents and purposes, as if they had been born in lawful wedlock.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-eighth day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 106.

## A N A C T

Relative to roads in Manchester and Buckingham townships, Wayne county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the first, second, third, fourth, fifth, sixth and seventh sections of the act, approved the third day of March, one thousand eight hundred and forty-seven, in relation to the road laws in the township of Lenox, in the county of Susquehanna, be and the same are hereby extended to the townships of Manchester and Buckingham, Wayne county; and the existing road laws, so far as they are supplied by this act, are hereby repealed in the townships aforesaid.*

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-eighth day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

## No. 107.

## A FURTHER SUPPLEMENT

To the charter of the borough of York.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the eighth section of the act of the general assembly of Pennsylvania, approved March seventh, one thousand eight hundred and fifty-nine, entitled "A supplement to an act to incorporate the borough of York," be and the same is hereby repealed; and that the high constable of said borough shall hereafter be appointed by the chief burgess and town council of said borough, as other borough officers are directed to be appointed by existing laws: *Provided,* That the term of the present high constable shall continue until a successor shall be appointed by the chief burgess and town council, at the first meeting of the new board to be elected at the ensuing borough election.

Certain act repealed.

High constable, appointment of.

Proviso.

SECTION 2. That the new chief burgess and town council, as the same shall be constituted after the ensuing borough election, and annually thereafter, shall not meet until the second Tuesday after each annual election, nor shall the term of the old board expire before that time.

Meeting of burgess and town council.

SECTION 3. That in order to entitle any person otherwise qualified to vote for chief burgess or member or members of town council of the borough of York, he shall, within the last preceding year, have paid the tax assessed upon him by the borough authorities.

Who entitled to vote for burgess or member of council.

SECTION 4. That the chief burgess shall preside at the meetings of the town council of said borough, and in case of an equal division or tie vote, shall have the right to give a casting vote on all subjects of business before the council; and the said town council shall also annually, at its first meeting after the borough election, elect one of its members to be vice president of council, who shall preside at all meetings in the absence of the chief burgess, and in case of the sickness, absence, resignation or other disqualification of said officer, shall be clothed with all his powers, and discharge all his duties, until such disqualification shall be removed, or another annual election shall be held; and the term of the new officers then chosen, shall commence as provided in the second section of this act.

Duties of chief burgess.

SECTION 5. That the qualified electors of the Fifth ward of said borough shall hereafter hold their ward, borough, general and all other elections required or authorized by law, at the public school house on the south-east corner of Newberry and King streets, in said borough.

Elections of Fifth ward, where to be held.

SECTION 6. That the judge and inspectors of the election in each ward of said borough, shall make out a certificate in writing, under their hands, of the number of votes given for each candidate for chief burgess; and the judge shall take charge of

Judge and inspectors of election, duty of.

said certificate, and produce it at a general meeting of all the judges of elections in said borough, which shall be held at ten o'clock in the morning on the next day following said election, at the place of holding elections in the Fourth ward of said borough; and the judges then and there assembled shall add together the number of votes which shall appear to have been given for any person or persons for the office of chief burgess, and shall then make out and deliver, on the same day, to the person who shall have received the largest number of votes for said office, a notice in writing of his election.

Chief burgess to  
give notice of  
election.

SECTION 7. That hereafter it shall be the duty of the chief burgess of the borough of York, for the time being, or in case of his disability for any of the causes mentioned in the fourth section of this act, of the president of the town council, to give notice of the holding of the annual borough election, by advertisement in one or more of the newspapers published in said borough, at least ten days before the time fixed by law for the holding of said election.

Justices of the  
peace. election  
of.

SECTION 8. That at the election which shall be held on the third Friday of March of the current year, the qualified electors of the Second, Third and Fifth wards of the borough of York shall, in each of said wards, elect one person to serve as justice of the peace during the term prescribed by law; and that when the term of the justice of the peace now residing in the Fourth ward of said borough, whose commission is the earliest in date, shall expire, or any vacancy shall occur by the death, resignation, removal or otherwise of either of the justices of the peace in said last mentioned ward, the qualified voters of the First ward in said borough shall elect one person, resident therein, to be a justice of the peace in and for said ward for the full legal term of five years; and that thereafter the qualified voters of each of the wards in said borough shall elect one person, and no more, to serve as justice of the peace in said ward, whenever any term shall expire or any vacancy shall occur, as is provided by existing laws regulating the election of justices of the peace in this commonwealth.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The third day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.



## No. 108.

## A N A C T

To change the place of holding the General, Special and Township Elections in the township of Jackson, county of Snyder.

WHEREAS, The place of holding the several elections in the township of Jackson, county of Snyder, is exceedingly inconvenient, inasmuch as it is at one side of the township:

*And whereas,* The person at whose house it is held is unwilling longer to allow his premises to be used for such purpose:

*And whereas,* The court of quarter sessions of said Snyder county will not hold a session until after the time for holding the next spring election will have elapsed; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the general, special and township elections in the township of Jackson, county of Snyder, shall be hereafter held at the house of George Brause, in said township of Jackson, instead of at the house of Robert P. Cornelius.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The third day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

## No. 109.

## A N A C T

To increase the Road Taxes in Scott township, Wayne county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the supervisors of Scott township, Wayne county, be and are hereby empowered to levy and collect an additional road tax in said township, in the same manner the present road taxes are

## LAWS OF PENNSYLVANIA,

levied and collected: *Provided*, That said road taxes shall in no event exceed double the present rates.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The third day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 110.

## A N A C T

Relating to the navigation of Hunt's run, in the counties of Clinton and Potter.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Hunt's run and its tributaries, in Clinton and Potter counties, be hereby declared a public highway.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The third day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 111.

## A N A C T

To authorize the county of Dauphin to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

it shall be lawful for the commissioners of Dauphin county to borrow any sum of money, on the credit of the county, not exceeding fifty thousand dollars, at a rate of interest not exceeding six per centum per annum, and to give to the lenders thereof transferable bonds therefor, in sums not less than one hundred nor more than one thousand dollars, payable in thirty years from the first day of April next, with coupons attached thereto for the payment of the interest, which shall fall due thereon, payable to the bearer thereof half yearly on the first days of April and October, in each and every year; and also to issue bonds, as aforesaid, to the present creditors of the county, payable at such time as may be agreed upon, with the interest payable as aforesaid.

Commissioners authorized to borrow money.

When payable.

SECTION 2. That so much of the money, when borrowed in the manner provided in the first section of this act, as may be found necessary, shall be applied towards building a court house for the use of the county of Dauphin; and the said bonds in the hands of the holders shall at all times be clear and discharged from all taxes and assessments of every kind and nature whatsoever, and may be assigned, from time to time, by the holders thereof, by endorsement thereon.

How to be applied.

SECTION 3. That the bonds to be issued as aforesaid, shall be signed by a majority of the county commissioners, attested by their clerk, and verified by the seal of the county; and the coupons shall be signed by the clerk of the commissioners, or by some person appointed by the board for that purpose, and made payable either at the county treasury, or at some bank in the town of Harrisburg, to be designated by the commissioners. It shall also be the duty of said commissioners to keep an account, on their books, of the number, date and amount of each of said bonds, and to whom payable; and every holder of a bond by assignment, may, if he sees proper, have the same entered on said book by the clerk to the commissioners.

Bonds to be issued, how executed, &c.

SECTION 4. That it shall be the duty of the commissioners of said county to provide, by taxation, a sufficient sum of money to meet the interest on said bonds at all times, as it shall fall due, and the same shall be punctually paid out of any money in the county treasury; and at least fifteen years before said bonds shall become payable, it shall be the duty of the commissioners of said county to levy a tax and establish a sinking fund to meet the principal of said debt at maturity, which money shall be placed at interest, on good security, from time to time, as collected or paid to the holders of such of the bonds as are willing to accept the same, at the option of the commissioners for the time being.

Amount necessary to pay interest, &c., to be raised by taxation.

SECTION 5. That on the removal of the present court house and public offices, it shall be the duty of the county commissioners to procure a suitable building or buildings for the accommodation of the courts, and also for the safe keeping of the records, and the use of such of the county offices as the counties are obliged by law to provide with offices, until the new building is ready for occupancy.

Suitable buildings to be procured for holding courts, &c.

SECTION 6. That on the removal of the present court house, the general, special, township and borough elections within the borough of Harrisburg, shall be held at the following places

Elections, where to be held.

until otherwise provided by law, that is to say: The qualified electors of the North ward of said borough shall vote at the Lancasterian school house, in said ward; those of the East ward at the school house on Chestnut street, between Third and Fourth streets, in said ward; those of the South ward at the school house in Mulberry street, in said road; and those of the West ward at the school house in Walnut street, in said ward; the qualified electors of Susquehanna township shall hold their general and all other elections at Miller's (now Niesley's) school house, in said township, where their township elections are now held; and the qualified electors of Swatara township shall hold all of their elections at the public house of Samuel Luts, until the people of said townships shall determine otherwise in the mode provided by law.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The third day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 112.

## A N A C T

To incorporate the Eddington and Penn's Valley Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

Commissioners.

Style.

Route.

Subject to.

Samuel H. Davis, Joseph Ashton, Joseph Paxson, Theodore Vandegrift, Enos' W. Boutcher, C. S. Vandegrift, George S. Gibbs, Charles Tomlinson, James Bowen, Peter States, William B. Alburger and Jonathan Ridge, or any five of them, be and the same are hereby appointed commissioners to open books, receive subscriptions, and organize a company by the name, style and title of the Eddington and Penn's Valley turnpike road company, to locate and construct a turnpike road, at any width not exceeding forty feet, nor of artificial construction less than fourteen feet, in, over, upon or near the bed of the present road, known as the Street road, beginning where said road intersects the Frankford and Bristol turnpike, and connecting with the Andalusia and Hulmeville turnpike road at Conover's Corner, with the privilege of extending the same on said road until it intersects with the Bustleton and Somerton turnpike road at Feastersville, subject to all the provisions and restrictions of an act

regulating turnpike and plank road companies, passed January twenty-sixth, one thousand eight hundred and forty-nine, so far as they are not inconsistent with this and the following sections.

SECTION 2. That the capital stock of said company shall consist of one hundred and fifty shares, at twenty dollars per share: *Capital stock.*  
*Provided,* That the said company may, from time to time, at a meeting of the stockholders called for that purpose, increase their capital stock to such amount as in their opinion may be required to complete the road, according to the intent and meaning of this act.

SECTION 3. That said company are hereby authorized to charge *Tolls.*  
 and collect the same amount and description of tolls on their road, as are allowed by law to be charged by the Frankford and Bristol turnpike road company; and when said company shall have completed their road from the point of beginning to its intersection with the Andalusia and Hulmeville turnpike road, the same proceedings shall be had thereon as if they had constructed five miles of the road; and they shall have power to collect and receive tolls on the same.

SECTION 4. That if said company shall not commence the construction of said road within five years from the passage of this act, and complete the same within five years thereafter, this act shall be null and void, except so far as may be necessary to close the affairs and pay the debts of the said company. *Limitation.*

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The third day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 113.

## A SUPPLEMENT

To an act, entitled "An Act incorporating the Pittsburg, Allegheny and Manchester Passenger Railway Company."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the tenth section of the act incorporating the Pittsburg, Allegheny and Manchester Passenger railway company, or so much thereof as authorizes any other passenger railway company to use and occupy any portion of the road or track of said com-

- Repeal.** pany, without the consent of the company, be and the same is hereby repealed.
- Authorized to continue line of railway.** SECTION 2. That said railway company shall have the right to continue the line of their railway, by single or double track, from the intersection of Federal and Ohio streets, up Federal street to the city line, with right to intersect the same by a like railway running from Federal street westwardly along said North Common to Pasture lane, and thence along said lane to Water lane or Western avenue, to the present line of said railway: *Provided*, That the consent of the councils of Allegheny city shall be first had, as required by and according to the eighth section of the original act to which this is a supplement.
- Proviso.**
- Provision of certain act extended** SECTION 3. That the power conferred by the ninth section of the act to which this is a supplement, upon the court of quarter sessions of Allegheny county, to fix and establish the rate of compensation to be allowed to plank road and bridge companies, is and shall be hereby extended to embrace the streets of the boroughs through which said railway may pass, in the same manner and effect as prescribed in said section.
- May issue bonds.** SECTION 4. That said company shall have power to raise, on bonds or notes, to be secured by a mortgage of their road, including all its stock and franchises, any sum not exceeding one-half of the amount of the capital stock authorized by their charter, for the purpose of carrying out the true intent of the said charter: *Provided*, That no bond shall be issued for a less sum than one hundred dollars, with interest at a rate not exceeding seven per centum per annum.
- Proviso.**
- Privilege of extending road.** SECTION 5. That said company shall have the privilege of extending their railway, by single or double track, with the necessary turnouts and switches upon Saint Clair street, in the city of Pittsburg, from the intersection of Penn and St. Clair streets to the intersection of Liberty and St. Clair streets, subject to the consent of the councils of said city, as provided for in the eighth section of the act of incorporation: *Provided however*, That when said railway shall be extended from Liberty or Penn streets to Wood's run, that in no case shall the rate of charge exceed the sum of ten cents per passenger for that distance; and any part of the original act to which this is a supplement, inconsistent herewith, is hereby repealed.
- Proviso.**

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The third day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.



No. 114.

## A N A C T

To repeal an act increasing the pay of Witnesses attending Court in Schuylkill county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act of assembly, approved the tenth day of March, Anno Domini one thousand eight hundred and fifty-eight, entitled "An Act to extend the provisions of an act, entitled 'An Act to increase the pay of county commissioners, jurors and witnesses in certain counties of this commonwealth,' approved the twentieth day of March, one thousand eight hundred and fifty-seven, to certain other counties of this commonwealth," be and the same is hereby repealed, so far as relates to the pay of witnesses residing within five miles of the seat of justice, attending court in the borough of Pottsville, in the county of Schuylkill.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The fifth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 115.

## A N A C T

Relative to Allegheny Cemetery.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the managers of the Allegheny cemetery, in the county of Allegheny, be and they are hereby authorized to sell and dispose of, either at public or private sale, a certain tract or parcel of land, adjoining the lands of John H. Shoenberger, and known as the Ewalt purchase, containing eight acres and thirteen perches, more or less, and to re-invest the proceeds thereof in the pur-

Authorized to  
sell certain tract  
of land.

May acquire  
other tracts.

Provide.

Donations or  
grants, relative  
to.

Income of dona-  
tions or grants,  
relative to.

Provide.

chase of other lands adjoining said cemetery; and also to sell, exchange or acquire such further tracts or parcels of land as may, by the said board of managers, be deemed expedient or advisable, with the view of bringing the grounds of the said cemetery into a more convenient shape: *Provided*, That the additional ground so acquired shall not exceed one hundred acres, and shall be subject to the restrictions and immunities in the charter of said corporation, and be used only for the burial of the dead, without distinction of creed or sect, and the ornamenting and improving of the same.

SECTION 2. That the said corporation may take and hold any grant, donation or bequest of property, upon trust, to apply the same, or the income thereof, under the direction of the board of managers, for the improvement or embellishment of the said cemetery, or for the erection, repair, preservation or renewal of any tomb, monument or grave-stone, fence, railing or other erection, or for the planting and cultivation of trees, shrubs, flowers or plants in or around any cemetery lot, or for improving the said premises in any other manner or form consistent with the design and purpose of the act to incorporate, according to the terms of such grant, donation or bequest.

SECTION 3. That all grants, donations or bequests of money which shall be made in accordance with the provisions of the foregoing section, the annual income of which only is directed, by the terms of such grant, donation or bequest, to be applied to any of the purposes set forth in said section, shall be invested by said board of managers, either in ground rents, mortgages upon otherwise unencumbered real estate in the county of Allegheny, or the stock or loans of the commonwealth; and the said managers shall not be responsible for their conduct of such trust, except for good faith, and such reasonable diligence as may be required of mere gratuitous agents: *Provided*, That the said managers shall in no case be obliged to make any separate investment of the sum so given; and that the average income derived from all funds of the like nature entrusted to the corporation, shall be divided and apportioned annually to the credit of said lot or parcel of lots entitled thereto, and the same be expended in accordance with the direction or intention of the donor or grantor.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The sixth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 116.

## A N A C T

To authorize the appointment of one additional Notary Public in the county of Luzerne.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the governor be and he is hereby authorized to appoint one additional notary public for the county of Luzerne, who shall reside in the borough of Pittston.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The sixth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 117.

## A N A C T

Relative to Roads and Bridges, and Road and Bridge Views and Viewers, in the county of Schuylkill.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the act of eleventh February, one thousand eight hundred and fifty-four, entitled "An Act to consolidate and amend the road laws of the counties of Beaver, Butler and Lawrence," be and the same are hereby extended to the county of Schuylkill.

SECTION 2. That it shall be the duty of the several townships and boroughs in Schuylkill county, in which any county bridge is now or shall hereafter be erected, respectively to keep the same in repair at the expense of the township, townships or boroughs, in the same manner as is now prescribed by law in relation to public roads; and on neglect thereof, the proper officer or officers charged with the duty of repairing roads or streets,

Repairs of  
bridges, relative  
to.

shall forfeit and pay a sum not less than ten nor more than fifty dollars, to be recovered in the same manner as is provided for in the seventy-fifth section of the act of thirteenth June, one thousand eight hundred and thirty-six, entitled "An Act relating to roads, highways and bridges."

Pay of road and  
bridge viewers.

SECTION 3. That the pay of road and bridge viewers for the county of Schuylkill be one dollar and fifty cents per day; and that the surveying, draft and report shall be paid by the parties petitioning, as may be agreed upon; and this act shall take effect on and after the first day of April next.

Repeal.

SECTION 4. That so far as any act or acts, or parts thereof, are hereby altered or supplied, the same be and are hereby repealed.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The sixth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 118.

## A N A C T

Declaring Kersey run, in Elk county, Laurel run, in Clerfield and Elk counties, public highways.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Kersey run, in Elk county, Laurel run, in Clearfield and Elk counties, both flowing into Bennett's Branch of the Sinnemahoning creek, be and the same are hereby declared public highways.*

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The sixth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 119.

## A N A C T

Supplementary to the several acts incorporating the borough of Pottsville.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in all cases in which the corporation of the borough of Pottsville may cause curb stones to be set, sidewalks cut down or filled up, or pavements or gutters made or repaired, after notice to the owner or occupier of the premises in front of which such work may be done as provided by law, the said corporation may, in addition to the cost of such work, recover twenty per cent. on the cost thereof, in the manner in which the cost of such work is now recoverable.

Curbing, paving,  
&c., relative to.

SECTION 2. In addition to the remedies now provided by law, the corporation of the borough of Pottsville may recover the cost of making or repairing any pavements or gutters, and twenty per cent. thereon, of the owner of the property in front of which such work may be done, in action of debt before any alderman, justice of the peace or courts of this commonwealth having jurisdiction of the amount of the claim.

Repairing pavements, gutters,  
&c.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The sixth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 120.

## A N A C T

For the relief of Mercer borough School District, in Mercer county.

WHEREAS, The school directors of Mercer borough were unable, for two years past, to keep open the public schools of said borough according to law, from the want of the necessary school buildings:

*And whereas, They have, at an expense of over thirteen thousand dollars, erected and furnished the required buildings, and now have their school in operation; therefore,*

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the superintendent of common schools be authorized and directed to pay to the school directors of Mercer borough such sum or sums as may be due to them, and to which said district would have been entitled, which was withheld from them in consequence of their failure to keep the public schools open as required by law.*

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The sixth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 121.

## A N A C T

Fixing the place of holding Elections in Blythe township, Schuylkill county.

WHEREAS, The incorporation of the borough of Middleport out of part of the township of Blythe, in the county of Schuylkill, has left the citizens of said township without a place for holding elections within the said township; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That hereafter the qualified electors of the township of Blythe, in the county of Schuylkill, shall hold their general, special and township elections at the public house now occupied by Daniel G. Barnett, in the town of New Philadelphia, in said township.*

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The sixth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.



No. 122.

## AN ACT

Relative to Viewers in the borough of Harrisburg.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in proceedings now pending, or hereafter instituted, for opening or extending any street, lane or alley in the borough of Harrisburg, in the county of Dauphin, or for assessing damages by reason thereof, owners of property in the said borough, or residents thereon, may be appointed by the court viewers or appraisers; and any provision inconsistent herewith, is hereby to this extent repealed; and in any such proceeding hereafter instituted, no more than six viewers shall be appointed, five of whom may view, and four of whom may report, either as to the opening of the street or alley or the assessment of damages, notice of the view in either proceeding being given to one of the county commissioners; and the provisions of the act of the ninth of January, one thousand eight hundred and seventeen, for the better regulation of the borough of Harrisburg, so far as it is altered by this act, or is inconsistent with it, is hereby repealed.

Viewers, relative to appointment of, &amp;c.

Assessment of damages.

SECTION 2. That under the provisions of the said act of ninth of January, one thousand eight hundred and seventeen, and of this act, a street or alley in Harrisburg may be increased in width as well as extended in length.

Width of streets and alleys.

SECTION 3. That it shall be the duty of all viewers hereafter appointed under the provisions of this act, to lay out, open, extend or widen any street, lane or alley within said borough, to apply to the owner of the property through which the same is intended to pass, or which may be affected thereby, for a release of damages on account thereof; and where the owner shall neglect or refuse to release, or labors under any legal disability not hereafter provided for, or cannot be found within said borough, the viewers shall assess the amount of damages which said property will sustain by reason of the laying out, extending or widening of such street, lane or alley, taking into consideration all the advantages as well as disadvantages arising therefrom, and report the same to the court of quarter sessions, with their draft and report, as now required by law; and if, in the opinion of said viewers, the amount of damage which private property shall sustain, by reason thereof, shall exceed the benefit to the public by reason of said highway being laid out, extended, widened or opened, it shall be the duty of the viewers to report against the same: *Provided*, That husbands and wives may release all claim for damages which may be done to the property of the wife, and guardian for that which may be done to the estates of their wards, and committees of lunatics for that which may be sustained by the estate of said lunatic.

Duty of viewers.

Provided.

Petitioners to  
give notice to  
owners of prop-  
erty of the time of  
views.

County commis-  
sioners to be no-  
tified of re-views.

SECTION 4. That it shall be the duty of the petitioners to give to the owners of property through which any street, lane or alley is expected to be widened or extended under the provisions of this act, at least two days' notice of the time of every view, when they reside or can be found in the borough, and like notice to at least one of the county commissioners; and in case of a review or any subsequent view of such highway, it shall be the duty of the reviewers, and any and all subsequent viewers, to assess, and in like manner report, the amount of damages in their judgment sustained, as is required of the first viewers; and the court shall have the same power over all of the reports of viewers under this act, as they now have under the general road laws of this commonwealth; and no street, lane or alley shall be opened, extended or widened under the provisions of this act, until the amount of damages shall be paid.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The sixth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 123.

## A N A C T

Relative to the erection of a new Township in Somerset county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in proceedings to erect a new township out of parts of Somerset, Milford and Jefferson townships, in Somerset county, it shall be the duty of the court of quarter sessions of the said county, when a return has been made by commissioners appointed under the provisions of the act to which this is a supplement, favorable to the erection of a new township, to order a vote of the qualified electors of each of the townships of which the new township is proposed to be formed.

Court of quarter  
sessions, duty of.

Elections, rela-  
tive to.

SECTION 2. That it shall be the duty of the said court, upon return being made as aforesaid, to fix a day certain upon which the township officers shall hold an election in each of the townships of which the new township is proposed to be taken, at their usual place of holding general and special elections.

SECTION 3. That it shall be the duty of the constables of said townships, or if there be no constable, then one of the supervisors or road commissioners, to give at least fifteen days' notice of the time and place of holding said elections, by posting not less than six written or printed handbills in the most public places in said township. Duty of constables.

SECTION 4. That the ballots to be deposited by the electors shall have written or printed on the outside thereof, the words "new township;" and on inside, the words "for a new township" or "against a new township." Ballots, how to be written or printed.

SECTION 5. That it shall be the duty of the officers of said election, after the polls are closed according to law, to count the ballots, and certify, within five days thereafter, the number of votes for and against a new township, to the clerk of the court of quarter sessions of the said county, who shall, after filing the same in his office, lay the same before the said court at the next session; and if it shall appear that a majority of the votes so taken are for a new township, the said court shall thereupon order and decree a new township, agreeably to lines marked out and returned by the commissioners; but if a majority of the votes have been given against a new township, no further action shall be had upon said proceedings. Officers of election, duty of.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The sixth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 124.

## AN ACT

Fixing the place of holding Elections in Centre township, Indiana county.

WHEREAS, The house in which the elections have been held in Centre township, Indiana county, is about to be taken down or removed:

*And whereas,* The court of quarter sessions of Indiana county will not hold a session until after the time for holding the next spring election will have elapsed; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the general, special and township elections in the township of

Centre, Indiana county, shall be hereafter held at the new school house near the cross roads, on the farm of John Barclay, in said township.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The sixth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 125.

# AN ACT

To change the place of holding Elections in Wayne township, Greene county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, the general, special and township elections of the township of Wayne, in the county of Greene, shall be held at the school house known by the name of Phillips school house, until the same shall be changed in accordance with the acts of assembly in such cases made and provided.*

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The sixth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 126.

## AN ACT

To extend the provisions of the law for the support of the Poor in the counties of Washington, Greene and Fayette, approved the thirtieth of April, Anno Domini one thousand eight hundred and fifty-five, to the county of Bradford.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the act for the relief and support of the poor in the counties of Washington, Greene and Fayette, approved the thirtieth day of April, Anno Domini one thousand eight hundred and fifty-five, be and the same are hereby extended to the county of Bradford.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The sixth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 127.

## AN ACT

To enlarge the powers of the Centenary Fund Society of the Erie Annual Conference, and the Centenary Society of the Pittsburg Annual Conference of the Methodist Episcopal Church.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Centenary Fund society of the Erie annual conference of the Methodist Episcopal church, and the Centenary Fund society of the Pittsburg annual conference of the Methodist Episcopal church, shall be able and capable in law, respectively, to take, receive and hold all and all manner of lands, tenements, rents, annuities, franchises and hereditaments, and any sum or sums of money, and any manner and portion of goods and chattels to be employed and disposed of according to the objects, arti-

cles and conditions of the instruments upon which the said corporations are respectively formed and established: *Provided*, That the clear yearly value or income of the real and personal estate so held by each of said corporations, respectively, shall not exceed at any time to said societies, separately, the sum of ten thousand dollars each.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate*

APPROVED—The sixth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 128.

## AN ACT

For the relief of Preceptor Forbes, late Treasurer of Bradford county.

WHEREAS, Judgment has been obtained against Preceptor Forbes and his sureties, with interest, for the whole amount of his indebtedness, as treasurer of Bradford county, to the commonwealth; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the said Forbes is hereby fully authorized and empowered to proceed to collect the outstanding licenses charged in his account as late treasurer of Bradford county, and to have the same remedies, and to be entitled to the same exonerations, in the closing up of his indebtedness with the attorney general, as though he had proceeded to collect the same during his term of office; and the attorney general is hereby authorized and required to allow the said Forbes until the first day of May, one thousand eight hundred and sixty-one, in which to collect said licenses, and close up that portion of his indebtedness, without interest; and for the payment of the other portion of his indebtedness, the attorney general is authorized and required to allow him, on one-half the sum, six months from the first day of May next, and on the other half one year from the first day of May next, with interest from the rendition of the judgment, the said Forbes to pay the cost: *Provided*, That before the said Preceptor Forbes shall have and exercise any of the privileges granted by this act, his sureties shall file with the attorney general their assent



to the passage of the same, and to the granting of the privileges contained therein.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The sixth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 129.

## A N A C T

To amend the charter of the Trustees of the Fire Association of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the trustees of the Fire association of Philadelphia, be and they are hereby empowered and directed annually to divide amongst the several companies, who may be certified by the board of delegates as entitled to a share of the annual dividend, thirty per centum of the profits of the office, including premiums received for annual insurances, together with the whole of the interest arising upon the capital stock, after the payment of losses and expenses, until the permanent capital stock shall have reached the sum of three hundred thousand dollars; and when said capital stock shall have reached the sum of three hundred thousand dollars, then forty per centum of the said profits, including said premiums, with the interest as aforesaid, shall be so divided until the permanent capital stock shall have reached the sum of four hundred thousand dollars; then thereafter fifty per centum of said profits, including said premiums, with the interest as aforesaid, shall be so divided amongst said companies. Division of the profits, relative to.

SECTION 2. That any or all laws or parts of laws, inconsistent herewith, be and the same is hereby repealed.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The seventh day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 130.

## A N A C T

For the better preservation of Game in the county of York.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the act, approved the twenty-first day of April, Anno Domini one thousand eight hundred and fifty-eight, entitled "An Act for the better preservation of game and insectivorous birds," be and the same is hereby re-enacted, so far as relates to the county of York.*

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The seventh day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 131.

## A N A C T

Declaring a part of Big Mill creek, in the counties of Clarion and Jefferson, to be a Public Highway.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, Big Mill creek, from the saw mill of Thomas Hall, on said creek, in the county of Jefferson, to the mouth of said creek, in Clarion county, be and is hereby declared a public highway.*

Big Mill creek  
declared a public  
highway.

Obstructions may  
be removed.

SECTION 2. That it shall and may be lawful for the persons desirous of using the navigation of said stream, to remove all natural or artificial obstructions from the bed or channel of said creek, excepting bridges where public roads cross, all mill dams or water works, and to erect such slopes or locks, and to keep them in repair, at the dams now built, as may be necessary for the passage of lumber, rafts, boats, &c.: *Provided, That such slopes or locks be so constructed as not to injure said dams or*

Proviso.

water privileges thereon: *And provided also*, That any person <sup>Proviso</sup> or persons possessing lands on said creek may construct or erect any dam or dams across the same, agreeable and subject to the restrictions and provisions of an act, entitled "An Act to authorize any person or persons owning lands adjoining streams of water declared public highways, to erect dams upon such streams for mills and other water works," passed the twenty-third day of March, one thousand eight hundred and three.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The seventh day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 132.

## AN ACT

To change the times of holding the several Courts in and for the county of Luzerne, and city of Carbondale.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That hereafter the several courts of the county of Luzerne shall be held as follows, in each and every year, to wit: The courts of common pleas and orphans' courts on the third Monday of August, to continue one week, on the second Monday of November, on the first Monday of January, on the third Monday of February, on the first Monday of April, and the first Monday of May, to continue two weeks each; the courts of oyer and terminer and general jail delivery, and courts of quarter sessions of the peace for said county, shall be held on the fourth Monday of August, to continue two weeks, on the fourth Monday of November, on the third Monday of January, and on the third Monday of April, to continue one week, unless otherwise ordered.

When courts to  
be held in "Lu-  
zerne county.

SECTION 2. That the several courts in and for the city of Carbondale, in said county of Luzerne, shall be held on the second Mondays of September and December, the first Monday of February, and the third Monday of May, in each and every year, to continue one week each.

When to be held  
in city of Carbon-  
dale.

SECTION 3. That the said courts of oyer and terminer of Luzerne county aforesaid, and quarter sessions of the said county of Luzerne and city of Carbondale, may, at any term or session,

Courts of oyer  
and terminer.  
and quarter ses-  
sions, relative to.

direct the said courts to continue, at the then following term or session, one or more weeks in addition to those regularly appointed by law ; and for such additional week or weeks to issue venires for traverse jurors, as now required for the regular terms and sessions ; and may also, if necessary in the opinion of said courts, continue on any of said courts during a next succeeding week, and detain the general panel of traverse jurors in attendance, without the issuing of new venire for the said additional week, and enforce the attendance of parties and witnesses during such continued sessions and terms, by all proper orders and process.

When this act  
shall take effect.

SECTION 4. That this act shall not go into effect until after the month of May, one thousand eight hundred and sixty.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The seventh day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 133.

## AN ACT

For the better security of Daily Laborers, Mechanics and Farmers, for work and labor done in Centre county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, that in the distribution of the proceeds of any sheriff's sales of the real and personal estate of persons engaged in mining or manufacturing, or of companies or corporations engaged in mining, manufacturing or building, in the county of Centre, the money, not exceeding one hundred dollars, due daily laborers and mechanics for work and labor done by themselves or teams, shall be preferred to all other debts or claims, except such as are now preferred by existing laws of this commonwealth: *Provided,* That such preference shall only apply to the sales of the real and personal property used and necessary to the operations of mining or manufacturing, et cetera, as aforesaid: *And provided further,* That this act shall not be construed so as to conflict with or restrain the rights of claimants under the mechanics' lien law.

Claims of laborers and mechanics to be preferred.

Proviso.

Proviso.

Distribution of estates of decedents, relative to

SECTION 2. That in the distribution of the estates of decedents in Centre county, the wages, not exceeding one hundred dollars,

due daily laborers and mechanics for work and labor done as aforesaid, shall be preferred to all other debts, except such debts and claims as are now preferred by existing laws of this commonwealth.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The seventh day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 134.

## AN ACT

To protect Operatives and Laborers in the county of Montgomery.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in all cases of executions, landlord's warrants, attachments and writs of a similar nature, hereafter to be issued against any person or persons, or chartered company engaged in the manufacture of either cotton or woollen goods or cloth fabrics of any kind, it shall be lawful for the mechanics, laborers and operatives employed by such person or persons or chartered company, to give notice in writing of their respective claim or claims for wages, and the amount thereof, against such person or persons or chartered company, to the officer executing either of such writs, at any time before the actual sale of the property levied on; and such officer shall pay to such mechanic, laborer or operative, out of the proceeds of sale, the amount each is justly and legally entitled to receive, not exceeding one hundred dollars, in like manner as rents are now payable in such cases: *Provided,* That this act shall only extend to the county of Montgomery.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The seventh day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 135.

## AN ACT

Fixing the place of holding the Elections in the township of Price, in the county of Monroe.

WHEREAS, At the court of quarter sessions for the county of Monroe, at December term, one thousand eight hundred and fifty-nine, the new township of Barrett was erected out of parts of the townships of Paradise and Price, in said county:

*And whereas*, In the erection of the said new township, the place of holding the general and township elections in said township of Price falls within the limits of the township of Barrett; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That from and after the passage of this act, the general, special and township elections in the township of Price, in the county of Monroe, shall be held at the house of Abraham Gish, in said township.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The seventh day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 136.

## AN ACT

To prevent the destruction of Trout in certain counties of this Commonwealth.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That from and after the passage of this act, it shall not be lawful for any person or persons within the counties of Westmoreland, Chester, Luzerne and Fayette, to take or kill trout with nets, brush drags, by draining off the water, sledging, or by throw-

Taking or killing  
trout in a certain  
manner, pro-  
hibited



ing into the water any noxious or poisonous preparation ; and that any person or persons offending against the provisions of this act, upon conviction before a justice of the peace, shall forfeit and pay a penalty of five dollars for the first offence, and for the second and every subsequent offence, the sum of ten dollars, to be sued for in the name of the township, for the use of the complainant, in which the offence was committed, in the form of an action of debt, process against the offending parties to issue on the oath or affirmation of the complainant to arrest defendant : *Provided*, That the party making the complaint shall be a competent witness on the trial of the case : *Provided further*, That the proceedings to enforce the penalties provided for in this act shall be deemed sufficient in law, if it appears from the docket that the forms in civil actions have been adhered to in rendering the judgment ; and the hearing and final judgment in all cases under this act, shall not be treated as summary convictions.

*Proviso.*

*Proviso.*

SECTION 2. That one-half of the penalty recovered under this act shall go to the school fund of the township in which the offence was committed, and the other to the supervisors of the roads of the same township ; for the collection of which penalty execution may issue, with clause of *capias*.

*Penalty, how applied.*

SECTION 3. That if the party or parties against whom a judgment has been obtained, as hereinbefore provided, shall fail or refuse to pay said penalty after execution issued, it shall be lawful, and the justice is hereby directed, to commit the said delinquent to the county prison for a period not exceeding twenty days.

*May be imprisoned for non-payment of penalty*

SECTION 4. That the parties may, if they deem proper, appeal to the court of common pleas of the county wherein the judgment was rendered, subject to the restrictions now in force in relation to appeals.

*Appeal.*

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The seventh day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 137.

## A N A C T

To release the Register and Recorder of Potter county from the payment of certain Taxes.

WHEREAS, Timothy Ives has been appointed to fill the vacancy in the office of register and recorder of Potter county, occasioned by the death of A. H. Butterworth, the late incumbent:

*And whereas,* The said Timothy Ives will only hold the said offices, under said appointment, but about eight months, thereby rendering it unjust that he should be charged the full amount of taxes and fees upon his commission; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said Timothy Ives be and he is hereby released from the payment of the taxes on his commissions.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The seventh day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 138.

## A N A C T

To vacate a former part of Wallace street, in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of Wallace, formerly called Andrew or St. Andrew street, between Nineteenth and Twentieth streets, in the city of Philadelphia, as was at any time laid out, opened or dedicated to public use as a highway, south of the present south line of the said Wallace street, as laid down on the present confirmed

plan of that part of the said city, be and the same is hereby vacated.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The eighth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 139.

## A SUPPLEMENT

To an act to incorporate the Hestonville, Mantua and Fairmount Passenger Railroad Company, approved April sixth, Anno Domini one thousand eight hundred and fifty-nine.

WHEREAS, It has been deemed for the present inexpedient Preamble. that the Hestonville, Mantua and Fairmount Passenger railroad company avail themselves of that portion of their charter, which provides that the said company shall have the right to run their cars over any passenger railway now constructed, or which may hereafter be constructed, so as to give the said company a complete route from Hestonville to the eastern limit of the city of Philadelphia :

*And whereas,* The said company, relying upon the express intention of the general assembly to afford a through route to the inhabitants of that important part of the city through which said railroad is located, have expended a considerable sum of money in the laying of their tracks, the erection of depot, purchase of horses, cars, et cetera ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That for the better carrying out the intention of the general assembly, as expressed in the act aforesaid, the Hestonville, Mantua and Fairmount Passenger railroad company are hereby authorized and empowered to lay out and construct their railway tracks from their present terminus, across the Schuylkill to Callowhill street, and along Callowhill street to Delaware avenue, and westwardly from Hestonville, and northwardly along Thirty-fifth street to such point or points as may be required, from time to time, and to lay their tracks on and occupy such other street or streets as may be necessary, to reach Twenty-first or Twentieth and Callowhill streets, from their present terminus at Fairmount. Authorized to extend road.

May increase  
capital stock.

SECTION 2. That the said Hestonville, Mantua and Fairmount Passenger railroad company shall have the privilege of increasing their capital stock to an amount not exceeding five thousand shares.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The eighth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 140.

## A N A C T

To incorporate the Middletown Market Company.

Corporators.

Style.

Powers and privileges.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John Monaghan, C. W. King, Jeremiah Rohrer, Samuel Landis, John E. Carmany, H. B. Kaufman and Solomon Swartz, and their associates, and all persons who may now or hereafter be holders of the stock hereinafter mentioned, shall be and they are hereby declared to be constituted a body politic or corporate, by the style of the Middletown market company, to have perpetual succession, to be capable in law of suing and being sued, to have a common seal, and the same to alter and renew at pleasure; and also to establish and execute such by-laws and regulations as shall appear to be necessary and convenient for the government of said corporation, and not being contrary to the constitution and laws of the United States or of this state, and generally to do and perform all and singular the matters and things which to them it shall lawfully appertain to do for the well being of said corporation, and the proper management of the affairs thereof; and to have, hold, receive, enjoy and take, in fee simple or upon ground rent, such real and also such personal estate as may by them be deemed necessary and proper for the ownership, and for the construction, and for the proper use and management and maintenance of a market house in the borough of Middletown, in the county of Dauphin, and for the accommodation and use of any parties who may be desirous of renting and occupying the same, with full power to sell, mortgage, create the necessary ground rent deeds, or convey the said real and personal estate.

SECTION 2. That the object and purpose of said corporation shall be to erect and maintain suitable building or buildings and stalls, with all things necessary for the use thereof, at any place within the aforesaid borough, the same to be appropriated and used as a public market house, and for the sale and vending of meats and vegetables, and all other kinds of victuals and provisions whatever, as the board of managers may deem proper; the said market buildings, the stalls, or any one or more or all of the same, to be leased, rented or disposed of in such manner and upon such terms and conditions as the managers shall determine: *Provided*, That this act shall not be construed to prohibit persons renting stalls in said market, who may send or carry the produce of their farms to market, from selling or exposing for sale, beef, mutton, veal, pork and poultry, in such quantities as they may desire, which may have been slaughtered on their farms or premises, or butter, or cheese, or other articles manufactured or produced thereon for market.

Objects and purposes.

Proviso.

SECTION 3. That the capital stock of said corporation shall not exceed three thousand dollars, divided into six hundred shares of five dollars each, and shall be in such form, and be issued and transferred in accordance with such by-laws as the said managers may establish.

Capital stock.

SECTION 4. That the government and control of the Middleton market company, and the management of its property, shall be vested in, and the corporate powers of said company shall be exercised by, a board of seven managers, who shall be elected by ballot from among the stockholders. They shall continue in office until their successors be elected; they shall elect a president, secretary and treasurer from among themselves, shall supply all vacancies in their number, however occasioned, and shall have the general and entire control of the affairs of the company; and that until other officers be duly elected, the persons named in the first section of this act shall be held to be managers of the said corporation, and shall have power and authority as such.

Management and control, relative to.

Managers, number and election of.

Officers.

SECTION 5. That a general meeting of corporators shall be held annually on the second Monday of March, for the election of seven managers and the transaction of other business; but if such meeting or election shall not then take place, the corporation shall not for that cause be dissolved, but another time shall be appointed for said purpose, according to the by-laws of said company, not more than two months later than said date, one week's public notice being first given in the newspaper of said borough, or by written or printed handbills put up in said borough; and special meetings of the corporation shall be called and held as may be provided by the by-laws thereof; and that in the enactment of by-laws for the government of the corporation and its officers, and in the election of officers and the decision of all questions, and at all the meetings of the corporation, the corporators present, either in person or by proxy, shall severally vote one for each share of stock held by them; but no stockholder, whether original subscriber or assignee, shall be entitled to vote at any election or meeting of said company, unless the whole sum due and payable on the share or shares by him or her held, at that time, shall have been fully paid and dis-

Election, when held.

Notice of.

Votes.

Limitation.

charged ; and the privileges hereby granted shall not extend for a period longer than thirty years, unless otherwise granted by the legislature of this commonwealth.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The sixteenth day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 141.

## AN ACT

To incorporate the German Eldership of the Church of God.

Corporators.

Style.

Powers

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* J. M. Hebler, J. F. Weishampel, Sen., George Ross, George Kimmel, Sen., J. K. Moyer, George Hebler, J. R. Knerr and their successors in office, elected by the said eldership at its regular annual sessions, to fill the offices of speaker, clerks and treasurer, the board of missions and the standing committee, shall be and they are hereby made and constituted a body politic and corporate, in law and in fact, to have perpetual succession, by and under the name, style and title of the board of trustees of the German Eldership of the Church of God ; and by the name, style and title aforesaid, shall be capable in law to sue and be sued, plead and be impleaded, in any court or before any judge or justice of the peace, in all and all manner of suits, complaints, pleas and demands of whatsoever name or nature, and all and every matter and thing to do in as full and effectual a manner as any other person or persons, body politic or corporate, within this commonwealth, may or can do.

By-laws.

Proviso.

SECTION 2. That the said corporation, and their successors, shall be and are hereby authorized and empowered to make, ordain and establish such by-laws and ordinances as shall be necessary and proper for the regulation of the temporal and financial concerns of the said eldership, and for the promotion of religion : *Provided*, That nothing shall be done, in pursuance of the powers and privileges herein granted, repugnant to this act, to the constitution and laws of this commonwealth, or to the usages, principles and doctrines of the Church of God.

How managed and conducted.

SECTION 3. That the business of the said corporation shall be managed and conducted by the said corporation, at the times



and during the annual sessions of the said eldership, or at any extra session thereof, or at any special meeting of the board of trustees, when called together by the president or any two members of the board. The majority of the members of board present at any one meeting, shall constitute a quorum.

SECTION 4. That the said corporation, and their successors, shall have full power and authority to make, have and to use one common seal, with such devices and inscription as they may think proper, and to break, renew and alter the same.

SECTION 5. That the said corporation, or their successors, by the name, style and title aforesaid, shall be able and capable, in law and equity, to take and to hold, to themselves and their successors, for the use and objects set forth as aforesaid, lands, tenements, goods and chattels of whatever kind, nature and quality, real, personal and mixed, which now is or shall hereafter become the property of the said eldership, by gift, grant, bargain, sale, conveyance, devise, bequest or otherwise, from any person or persons whatsoever capable of making the same, and the same to grant, bargain, sell or otherwise dispose of, for the use of the said eldership: *Provided*, That the yearly value or income of said estate shall not at any time exceed twenty thousand dollars, and shall not be appropriated to any other than the financial and religious purposes of the said eldership, as before named, or for any similar objects of the General Eldership of the Church of God.

SECTION 6. That no misnomer of the said corporation shall defeat or annul any gift, grant, or devise or bequest to or from the said corporation: *Provided*, That the intent of the party or parties shall sufficiently appear upon the face of the grant, will or other writing, whereby an estate or interest is intended to pass to or from the said corporation.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The fifteenth day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 142.

## AN ACT

For the relief of James Mitchell, former Treasurer of Lawrence county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

the commissioners of Lawrence county are hereby authorized and required to open the accounts of James Mitchell, former treasurer of Lawrence county, and with the approval of the county auditors, to re-settle the same, allowing the same right of appeal to the courts that is provided for by law in the settlement of treasurers' accounts.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The eighth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 143.

# A N A C T

Fixing the place of holding Elections in the borough of Armagh, Indiana county.

WHEREAS, The house fixed by law as the place for holding the elections for the borough of Armagh, Indiana county, has been taken down :

*And whereas,* The court of quarter sessions of Indiana county will not hold a session until after the time for holding the next spring election will have elapsed ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the general, special and borough elections in the borough of Armagh, Indiana county, shall be hereafter held at the town hall in said borough.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The eighth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 144.

## A N A C T

To annex a portion of land in Horse Valley, in the county of Franklin, to Saint Thomas township.

WHEREAS, There is a portion of land at the head of Horse valley, situate between the lines of Saint Thomas and Peters township, in the county of Franklin, and which heretofore has not been taxed by either of said townships; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the portion of land situate as aforesaid, at the head of Horse valley, between the lines of the townships of Saint Thomas and Peters, in the county of Franklin, be and the same is hereby annexed to and made part of the township of Saint Thomas, and shall be liable and subject to the provisions of all acts of assembly relative to the said township of Saint Thomas.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The eighth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 145.

## A S U P P L E M E N T

To an act to incorporate the Strasburg and Millport Turnpike Road Company, passed the twenty-third day of March, Anno Domini one thousand eight hundred and fifty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, so much of the thirteenth section of an act, entitled "An Act regulating turnpike and plank road companies," as exempts persons going to and from church, or other places of public worship, from the payment

of tolls, be and the same is hereby repealed, so far as relates to the Strasburg and Millport turnpike road company.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The eighth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 146.

## A N A C T

For the registration of Births, Marriages and Deaths in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the first day of July next, the city commissioners of the city of Philadelphia shall supply the health officer with separate books, in which he shall register, in the manner hereinafter directed, the returns made to him of the marriages which may be contracted, and of the births and deaths which may occur within the said city; he shall also cause an abstract of the same to be made in the month of February next ensuing, and annually thereafter in said month, to the city councils, through the board of health, which abstract shall contain a statement of the marriages solemnized, and of the number of births and of deaths, with the reported causes thereof, which have occurred in the said city during the year next preceding the first day of January, with such other information and suggestions in relation thereto, as he may deem of practical utility for the promotion of public health, and of general interest to the city.

SECTION 2. That it shall be the duty of clergymen of all denominations, of clerks or keepers of the records of all churches and religious societies, as also of every magistrate, and of other persons by or before whom any marriage may hereafter be solemnized or contracted, and of every practising physician, and of every practitioner of midwifery, and of every undertaker and superintendent or sexton of any cemetery or burying ground in the said city of Philadelphia, on or before the first day of July next ensuing, (the day in which the law goes into effect,) to report his, her or their names and places of residence to the health officer, at the office of the board of health; and it shall be the duty of the health officer to have the same properly re-

Books for registration to be furnished to health officer.

Abstracts to be made to city councils, &c.

Duty of clergymen.

Of physicians.

Of sextons.

Of health officer.

gistered in index form, in suitable books to be furnished to the city commissioners at the order of the board of health. In the event of any of the persons above specified removing to any other place of residence, it shall be their duty to notify the health officer of the fact within thirty days after such removal, except where the persons removing shall cease to act in such official capacity as makes them subject to the provisions of this act.

SECTION 3. That whenever any person shall die in the city of Philadelphia, it shall be the duty of the physician who attended during his or her last sickness, or of the coroner, when the case comes under his notice, to furnish, within forty-eight hours after the death, to the undertaker or other person superintending the burial, a certificate, setting forth, as far as the same can be ascertained, the full name, sex, color, age and condition (whether married or single) of the person deceased, and the cause and date of death.

Certificate of persons dying to be furnished.

SECTION 4. That no person having the charge, as sexton or otherwise, of any vault, burying ground or cemetery within the said city, shall inter, or allow to be interred, or place, or allow to be placed, in any vault, burying ground or cemetery, the dead body of any person; nor shall any undertaker or other person remove the dead body of any person who has died in the said city, and has not been buried, to any place beyond the limits of the said city, without first procuring the certificate of the attending physician or of the coroner. To said certificate the undertaker or other person having charge of the body shall, as far as can be ascertained, add the occupation of the deceased, the place of birth, the ward, street, and number of the house in which the death occurred, the place and date of interment, and where the deceased is a minor, the full names of the parents. In case any person shall die without the attendance of a physician, or if the physician who did attend at the time of the death refuses or neglects to furnish a certificate as aforesaid, it shall be the duty of the undertaker, or of any other person acquainted with the facts, to report the same to the health officer, who shall be authorized to give a certificate of death as aforesaid, provided it be not a case requiring the attendance of the coroner. Every sexton or other person having charge of any vault, burying ground or cemetery within the said city, and every undertaker or other person who shall remove any dead body from or out of the said city, shall return the said certificates to the health officer before twelve o'clock M. on the Saturday of every week, accompanied by a schedule of the same; which returns shall be published weekly by the health officer, in such manner as may be designated by the board of health.

Persons having charge of burying ground or cemetery, duty of.

Physician or coroner's certificate, relative to.

Persons dying without the attendance of a physician, relative to.

Removing dead bodies, relative to.

SECTION 5. That in case any physician, or the coroner, shall refuse or neglect to furnish such certificate as aforesaid, he shall forfeit and pay the sum of five dollars for each offence; and every undertaker, sexton or other person removing the dead body of any person, or having charge of any vault, burying ground or cemetery, who refuses or neglects to perform any of the duties required by this act, shall forfeit and pay for every such offence the sum of twenty-five dollars, which sums shall in every case be recoverable in the manner and for the uses prescribed in an

Physician or coroner refusing to furnish certificate, penalty for.

act, entitled "An Act for establishing a health office, to secure the city and port of Philadelphia from the introduction of pestilential and contagious diseases, and for other purposes."

Persons practising midwifery, duty of.

SECTION 6. That every person practising midwifery in the city aforesaid, under whose charge or superintendence a birth shall hereafter take place, shall keep a true and exact register of such birth, and shall enter the same on a blank schedule, to be furnished by the health officer. This schedule shall contain a list of the births which have occurred under his or her care during the month, and shall set forth, as far as the same can be ascertained, the full name of each child, (if any name shall have been conferred,) its sex, color, the full name and occupation of its parent or parents, the day and place of its birth; and the said schedule shall be delivered, duly signed by the practitioner, in the form of a certificate, on the first day of each and every month, to the health officer, or to any other authorized person calling for the same. In case the birth of any child shall have occurred without the attendance of a physician or of a practitioner of midwifery, or should no other person be in attendance upon the mother immediately thereafter, it shall then become the duty of the parent or parents of such child to report its birth to the health officer, in the manner and form and within the period above required.

Persons authorized to perform marriage ceremony, duty of.

SECTION 7. That it shall be the duty of every clergyman and every magistrate, and of the clerk or keeper of the records of all religious and other societies, and of every other person by or before whom any marriage may hereafter be solemnized or contracted, to make a faithful return of the same, at the expiration of every three months, to the health officer, in the form of a certificate, which shall set forth, as far as the same can be ascertained, the full name of the husband, his occupation, the place of his birth, his residence and age, the date of marriage, the full name of the wife previous to the said marriage, and her age, the color of the parties, and the place where, and the name of the clergyman or other person by whom, the marriage ceremony was performed.

Refusal of clergymen, magistrates, physicians, &c., to report place of residence, penalty for.

SECTION 8. That every clergyman, and every magistrate, and every clerk or keeper of the records of all religious societies, and every practising physician, and every person practising midwifery in the city aforesaid, and every undertaker and superintendent or sexton of any cemetery or burying ground in the city of Philadelphia, who shall neglect or refuse to leave his or her name and place of residence at the health office, as herein provided, and who shall refuse or neglect to perform any other of the duties required as aforesaid, shall forfeit and pay, for each offence, the sum of ten dollars, to be recovered in the manner and for the uses prescribed in an act, entitled "An Act for establishing a health office, and to secure the city and port of Philadelphia from the introduction of pestilential and contagious diseases, and for other purposes."

Certificates to be admitted as evidence in court.

SECTION 9. That the books or registers kept by the health officer, or a certificate duly certified by him as containing a copy of the record of any marriage, birth or death, shall hereafter be admitted in any court of the state as *prima facie* evidence of said marriage, birth or death.



SECTION 10. That the registry of marriages, births and deaths shall be kept in separate books; and there shall be general indexes to the record of all marriages, births and deaths, which indexes shall also be kept in separate books. Registers, how to be kept.

SECTION 11. That the health officer shall receive, for the use of the board of health, fifty cents for granting a certificate or certified copy of the record of any marriage, birth or death, and ten cents for making a search for either a marriage, birth or death, which sums shall be paid by the party applying for the certificate or search; but the said registers shall at all times be accessible to physicians, clergymen and lawyers without charge. Fees of health officer.

SECTION 12. That in order to secure uniformity and dispatch in the registration herein provided for, the books shall contain, upon the margin of each page, printed titles, with corresponding blanks, for suitable entries for marriages, births and deaths, in the order, to wit: To secure uniformity of registration, &c.

## MARRIAGES.

Full name of husband.  
 Occupation.  
 Residence.  
 Birth-place.  
 Age when married.  
 Full name of wife previous to marriage.  
 Residence.  
 Birth-place.  
 Age when married.  
 Time of marriage.  
 Color of the parties.  
 Ceremony employed.  
 Name of person pronouncing the marriage.  
 Residence of the last named person.  
 Date of certificate.  
 Date of registration.

## BIRTHS.

Full name of the child.  
 Sex.  
 Color.  
 Full name of the father.  
 His occupation.  
 Full name of the mother.  
 Day, month and year of the birth.  
 Street and number of house where born.  
 Name of the physician or other person signing certificate.  
 His residence.  
 Date of certificate.  
 Date of registration.

## DEATHS.

Full name of the deceased.  
 Color.  
 Sex.  
 Age.  
 Married or single.  
 Occupation.

Birth-place.

Date of death.

Cause of death.

When a minor, the name of the father and mother.

Ward, street, and number of house.

Date of burial.

Date of certificate.

Date of registration.

Health officer to  
keep blanks for  
gratuitous distri-  
bution.

SECTION 13. That the health officer shall keep on hand, at all times, a supply of blanks, for gratuitous distribution to all persons whose duty it shall be to make returns under this act. The said blanks shall be prepared in the form of books, and the margin shall correspond with the printed titles in the books of the health officer, as required by the twelfth section of this act: *Provided*, That all books, blanks and stationery necessary to be used in carrying out the intent and meaning of this act, shall be furnished, upon an order from the board of health, by the city commissioners, and shall be paid for by councils; and that the health officer, in consideration of such additional services, shall receive the sum of two hundred dollars besides his present salary, to be paid to him in the manner now directed by law.

Proviso.

Repeal.

SECTION 14. All acts or parts of acts inconsistent herewith, or supplied by this act, are hereby repealed.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The eighth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 147.

## A N A C T

Relative to Roads in certain townships in Chester county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the provisions of an act, entitled "An Act relative to the opening and making of new roads and building of bridges in the township of West Marlborough, in the county of Chester, and relative to repairing the roads in the said township," approved the twelfth of February, Anno Domini one thousand eight hundred and fifty-nine, be extended to the townships of Penn,*

Newlin, West Bradford and London Britain, in said county of Chester.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The eighth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 148.

## AN ACT

To incorporate the Fox Chase and Frankford Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Stephen Crawford, Joseph W. Ryens, Edward S. Handy, Charles Newbold, Robert R. Levick, William C. Keemhle, Henry C. Pratt, Charles Robbins, George W. Rhawn, Peter Castor, Charles L. Bute, John Haines, George S. Adler, Myers Livzley, Jacob Blake, Edward Thesing, A. G. Rowland, Joseph Deal, John Foulkrod, E. V. Machette and George A. Lewis, of Philadelphia county, and Benjamin Rowland, Newberry A. Smith, John Smith, B. C. Snowden, John Walton, Reuben Myers, George R. Heller, William Morrison and Thomas Rowland, junior, of Montgomery county, or any three of them, be and are hereby appointed commissioners to open books, receive subscriptions, and organize a company by the name, style and title of the Fox Chase and Frankford railroad company, with power and authority to construct a railroad from Frankford to the Fox Chase, in Philadelphia county aforesaid, with the privilege of extending the same to the village of Huntington, Montgomery county, when public convenience or the interests of the company may require, subject to all the provisions and restrictions of an act regulating railroad companies, approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine, (1849,) and the several supplements thereto, so far as the same are not altered or supplied by this act.

SECTION 2. That the capital stock of the said company shall consist of four thousand shares, of fifty dollars each: *Provided*, That the said company may, from time to time, by a vote of the stockholders, at a meeting called for the purpose, increase the capital stock, if it should be deemed necessary, to an amount not exceeding six thousand shares. For the purpose of com-

May borrow money and issue bonds.

May lease certain turnpike roads.

Proviso.

pleting and equipping the road, the said company shall have the power to borrow any sum of money not exceeding in amount the one-half of their capital stock, at a rate of interest not exceeding seven per centum per annum, and to secure the payment of the same by the issue of a bond and mortgage of the said railroad, together with the corporate rights and franchises granted by this act, and to annex to the said bond and mortgage the privilege of converting the same into the capital stock of said company at par, at the option of the holders, if they shall signify their election one year before their maturity.

SECTION 3. That the said company shall have power and authority to lease, for a year or term of years, such portions of the road beds of the Oxford and Kensington and Oxford turnpike companies as shall be deemed advantageous to said company; and said lease or purchase to be by the stockholders representing a majority of the stock, called for the purpose by said Oxford and Kensington and Oxford turnpike companies, shall be valid and of full force: *Provided*, That the said Frankford and Fox Chase Passenger railroad company shall not occupy, with their road, the macadamized portion of the Oxford turnpike road, except so far as may be required for such sidelings and crossings, which may be necessary in the construction of the same.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The ninth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 149.

## AN ACT

To change the place of holding the Elections in New Berlin, Union county.

WHEREAS, The building in which the elections are now held in the borough of New Berlin, in the county of Union, has been sold, and the purchaser refuses to allow it to be used hereafter for such purpose:

*And whereas*, The court of quarter sessions of said county of Union will not hold a session until after the time for holding the spring elections will have passed; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

the general, special and borough elections in the borough of New Berlin, county of Union, shall hereafter be held at the house of Michael Kleckner, in said borough: *Provided*, That the citizens of said borough shall have the opportunity, at the coming spring election, of deciding, by a majority of their votes, whether they will continue the elections at said house, or at any other suitable place they may see proper to select.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The ninth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 150.

## SUPPLEMENT

To the act to incorporate the Pittsburg and East Liberty Passenger Railway Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Pittsburg and East Liberty Passenger railway company is hereby authorized to lay out and construct a railway, with single track, from the intersection of Third and Market street, in the city of Pittsburg, along Third to Ferry street, thence along Ferry to Fourth street, and thence along Fourth street to Ross street; and also from the intersection of Third and Ross streets, with single or double track, along Ross street to the intersection of Fifth street and Pennsylvania avenue, and thence by said avenue as provided in the act to which this is a supplement; and until said avenue shall be opened into Fifth, the said company may lay out and construct a single or double track from Ross street, by way of Diamond street, to Pennsylvania avenue, and thence by said avenue as aforesaid: *Provided*, That so much of the act to which this is a supplement, as authorizes or requires said company to lay out and construct a railway on Second street or Market street, in said city, be and the same is hereby repealed: *And provided also*, That the said company shall not have the right to use or occupy any of the streets hereinbefore mentioned, for the the purpose of their railway, until the councils of the city of Pittsburg, by ordinance duly passed, shall grant their consent thereto.

Authorized to  
extend road, &c.

Route.

Proviso.

Repeal.

Power to construct a branch railway.

SECTION 2. The said company shall have the further right to construct a branch railway, with single or double track, from Pennsylvania avenue, along Atwood and Boquet streets, to Frazier street, or by way of Ward street, Semple street and Boquet street, to Frazier street, as aforesaid.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The sixth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 151.

## AN ACT

To authorize the erection of a Poor House by the city of Carbondale, in the county of Luzerne.

Commissioners.

Duty of.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John S. Law, James Clarkson, R. E. Marvin, Patrick Moffitt and James Stott, of the city of Carbondale, in the county of Luzerne, be and are hereby appointed commissioners, whose duty it shall be, as soon after the passage of this act as is practicable, to determine upon, and with the assent of the mayor's court of the city of Carbondale, to purchase or rent such real estate, within ten miles of the city hall in said city, as may be necessary and proper for the accommodation of the poor of the city of Carbondale; and it shall be lawful for said commissioners to take and receive proper conveyances therefor, in the name and for the use of the corporation mentioned in the second section of this act; and upon the receipt of such conveyance, to execute to the vendee or lessee, vendees or lessees, bonds or mortgages upon said real estate or other security in payment therefor, or for so much of the purchase money as remains unpaid, and also to erect thereon suitable buildings for the accommodation and keeping of the poor of said city; and they are also empowered to borrow such sum or sums of money as may in their opinion be necessary, not exceeding five thousand dollars, to be used in carrying out the purposes of this act.

Directors.

SECTION 2. That the said John S. Law, James Clarkson, Patrick Moffitt, R. E. Marvin and James Stott are hereby constituted directors of the poor in the city aforesaid, until successors are appointed and qualified, as hereinafter provided; and they



and their successors in office are hereby created a body politic and corporate in law, to all intents and purposes whatsoever, relative to the poor of said city of Carbondale, and shall have perpetual succession, by the name, style and title of the directors of the poor of the city of Carbondale, and by that name may sue and be sued, plead and be impleaded, purchase, rent, receive, take and hold any lands, tenements and hereditaments, not exceeding in value five thousand dollars, to erect and keep in proper condition suitable buildings for the use, reception and accommodation and employment of the poor of said city, and to provide all things necessary for the lodging, maintenance, support and employment of the poor of said city, within ten miles of the city hall aforesaid.

SECTION 3. That the said John S. Law, James Clarkson, Patrick Moffitt, R. E. Marvin and James Stott shall continue in office as directors for a period of one year, when the two first named directors shall retire from the board, and the vacancy shall be filled by the mayor's court of the city of Carbondale, in open court; and annually thereafter, in the order in which they are named, two more directors shall in like manner retire from the said office, and the court in like manner appoint their successors; and the third year one shall retire from office, and the said mayor's court shall in like manner appoint a successor, and so on from year to year, so that each director shall hold his office (after this term of first officers) for and during the term of three years: *Provided*, That any vacancy in the said office of director, by resignation, death, removal or otherwise, shall be filled by the mayor's court of said city of Carbondale; and that said court shall have power to remove any director for gross neglect of duty or misconduct in office, upon the petition of fifty or more of the electors of said city, upon a hearing of the complaint, after reasonable notice to the director complained of.

SECTION 4. That the said directors shall, before entering upon the duties of their office, be duly sworn or affirmed to faithfully discharge the duties of said office; and the persons herein appointed directors shall, as soon as they think proper after the passage of this act, appoint from their number a president, secretary and treasurer, and select and appoint a steward or superintendent, and a collector of poor taxes, who shall serve until successors are appointed; and in the month of January, one thousand eight hundred and sixty-one, and in the month of January in each year thereafter, shall appoint a collector and steward to serve for one year, and until successors are appointed and qualified; the treasurer and collector in all cases to give bonds, with sufficient security, conditioned for the faithful performance of their respective duties, in such sum as the directors may require. Any of said officers appointed by the directors as aforesaid, may be removed by them for neglect of duty, or for improper conduct in office; and the vacancies, as well as all vacancies which shall otherwise occur, shall be filled by them.

SECTION 5. That the said directors, a majority of whom shall constitute a quorum for the transaction of business, shall have power annually, as soon as practicable after the return of the city assessments, to lay a rate or levy, not exceeding one cent on the dollar at any one time, upon all trades and occupations,

Style.

Powers.

Term of office of directors.

Vacancies, how filled.

Proviso.

Directors to be sworn before entering upon duties.

Officers.

Term of service.

Quorum.

Assessment of tax, relative to.

How tax to be applied.

real and personal estates, and property within the city of Carbondale aforesaid, which is or are subject to county rates and levies, for defraying the expenses of renting or purchasing said farm, and erecting said buildings, and maintaining the poor of said city, to be levied upon the basis of the last adjusted valuation; and having caused a fair duplicate of such tax or levy, by them levied, to be made, which shall be signed by them, to issue their warrant to the collector of such tax, authorizing and requiring him to demand, receive and collect from every person therein named, the sum wherewith such person stands charged, in the manner and by the process county taxes are now by law collectable.

Office of overseer, when to cease.

SECTION 6. That after the expiration of the official term of the present incumbents in the office of overseers of the poor, the said office is hereby abolished in the aforesaid city of Carbondale; and the said directors are hereby authorized to settle up all the affairs of the poor department of the said city, and are clothed with all the authority of overseers of the poor under existing laws of this commonwealth, in addition to all the authority conferred by this act; and that any general laws in conflict with this act are hereby repealed, as to the said city of Carbondale.

Applications for relief, relative to

SECTION 7. That applications for relief shall be to the directors in person, and shall be according to a formula to be prescribed by them; and that the directors may require answers, on oath, touching the age, condition, means of subsistence, settlement and other circumstances of the applicant, to be committed to writing and subscribed by said applicant, to be filed among the papers of the poor department; and that any director may administer the said oath.

Work for the poor, relative to.

SECTION 8. That the said directors are hereby authorized to provide work and employment for such poor persons as may be able to perform any labor or pursue any employment; and if any poor person, unless unable by reason of age, infancy, disease, infirmity or other disability, shall refuse to perform such reasonable labor or service as shall be required or allotted to him or her by said directors or their steward, such person or persons shall not be entitled to or receive any relief or assistance during such refusal, and shall immediately, upon such refusal, be discharged from said poor house.

Steward to furnish yearly statement.

SECTION 9. That the steward or superintendent of said poor house is hereby required yearly, on the first Monday in January in each year, to furnish to said directors a statement of the income of said real estate, as nearly as the same can be done; also, of excess of his expenses over and above said income, the amount and kind of personal property then on hand, including grain, et cetera, the persons admitted and discharged during the year, with the number then therein, the length of time each remained, and the age and sex and nativity of each. The treasurer shall annually, on the first Monday in January of each year, render to said directors a just and correct account of his disbursements during the preceding year; and the said directors shall, in the month of January of each year, publish for at least two successive weeks, in a weekly newspaper published in the city of Carbondale, a detailed statement of the receipts, dis-

To be published.

bursements and expenditures of said corporation during the preceding year, with a statement of property, real and personal, then held by them.

SECTION 10. That the auditors of the city of Carbondale shall constitute a board of auditors to settle the accounts of the said directors; and said auditors shall meet for that purpose on the second Tuesday of February in each year, and shall receive the same pay per diem they are now allowed by law for other services, for every day necessarily employed. Duty of auditors.  
Pay of.

SECTION 11. That the said directors are hereby authorized to bind out poor children under their care, whose parents are dead or unable to support them, as apprentices, in the same manner and under the same restrictions as overseers of the poor may now by law put out such children; and the said directors shall exercise the same power and authority over the estate of any poor person under their care, as is now by law vested in the overseers of the poor. Directors may  
bind out children

SECTION 12. That the compensation of the secretary, treasurer, collector and steward shall be fixed by the directors, in full board, annually, and the compensation of the directors shall be fixed by the board of auditors, at each annual meeting, for the preceding year; said directors to furnish the said auditors with a full and correct statement of the time they have severally spent in attending to their duties: *Provided*, That the aggregate compensation of said directors shall not exceed two hundred dollars for the year, to be distributed in proportion to the time each has spent and the service rendered. Compensation of  
officers to be fixed  
by directors.  
  
Proviso.

SECTION 13. That the said directors or treasurer, or any one or more of the tax payers of said city, may, within twenty days from the yearly settlement by the auditors as aforesaid, appeal from such settlement to the mayor's court of the city of Carbondale, in the same manner and under the same regulations appeals from settlements by township auditors are taken. Appeal, relative  
to.

SECTION 14. That no moneys shall be paid by the treasurer except upon orders signed by the president and secretary of the board of directors. How money to be  
paid out by treasurer.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The ninth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 152.

## A SUPPLEMENT

To an act to incorporate the Delaware Avenue Market Company of the city of Philadelphia, approved the thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* so much of the original act to which this is a supplement, as provides that the real estate of the said Delaware Avenue market company shall be purchased, and the market house erected, south of Callowhill street and north of Chestnut street, in the city of Philadelphia, be and the same is hereby repealed; and that the said market company be and they are hereby authorized to purchase real estate, and erect their market house, at any point on Delaware avenue south of Callowhill street and north of South street, in the said city of Philadelphia.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The ninth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 153.

## A N A C T

To incorporate the Lafayette Market Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* James H. Laird, Henry B. Bobb, A. M. Meylert, J. H. Wheeler, John D. Bayne, N. R. Moseley, Charles Kein, John Noble, William J. P. White, E. A. Mench, J. M. Kochenperger, Eugene Ketterlinus and Edward Orbison, and their associates, and all persons who may be holders of the stock hereinafter mentioned, be and they are hereby constituted a body politic and corporate, by the name, style and title of the Lafayette market company,

Corporators.

Style.

to be located south of Walnut, north of South streets, west of Sixth and east of Sixteenth streets; and by that name shall have perpetual succession, be capable in law of suing and being sued, **Powers.** have a common or corporate seal, and alter and renew the same at pleasure; and shall have power to purchase and hold, in fee simple or for any less estate, such real or personal property as may be considered by them necessary and proper for the ownership, construction, maintenance and management of a market house in the city of Philadelphia, for the accommodation and use of persons who may be desirous of renting and occupying the same, with full power to sell, mortgage, create the necessary ground rent deeds, or convey the said real and personal property.

**SECTION 2.** That the object of said incorporation shall be to purchase, erect and maintain a suitable building or buildings and stalls, with all other things necessary for the use thereof, in the city of Philadelphia, the same to be appropriated and used as a public market house for the sale of meats, vegetables and provisions; the said market building, the stalls, or any or all of the same, to be leased, rented or disposed of in such manner, and upon such terms and conditions as the managers shall determine: *Provided*, That farmers, wherever resident, shall have the same rights, privileges and immunities, in regard to renting and occupying any part of said market, as may be granted or allowed to any citizen of Philadelphia or elsewhere: *Provided* **Objects.** **Proviso.** *further*, That the said corporation shall have no power to prohibit or restrict, by any by-law, rule or regulation, any person who shall rent or occupy a stall in any such market building, from exposing for sale and selling at said stall, in such quantities as he may deem proper, any article of produce raised, manufactured or prepared on his farm or premises. **Proviso.**

**SECTION 3.** That the capital stock of said corporation shall not exceed two hundred thousand dollars, which shall be divided into shares of not less than twenty dollars each; and the said company shall have power, and it is hereby authorized to borrow any sum or sums of money, not exceeding one hundred thousand dollars, for the purpose of said corporation; and in order to secure the payment of the same, shall issue their bonds therefor, of not less than five hundred dollars each, bearing interest at a rate not exceeding seven per centum per annum, payable semi-annually, with coupon certificates attached, to be secured by mortgage of all or any part of the said real estate, together with the corporate rights and franchises granted by this act. **Capital stock.** **May borrow money, issue bonds. &c.**

**SECTION 4.** That the government, control and management of said company shall be vested in and exercised by a board of managers, the number of whom, their duties, and time and manner of election, shall be fixed by the by-laws; they shall continue in office until their successors are elected; they shall elect a president, secretary and treasurer from among themselves, shall supply all vacancies in their number until the board of managers shall be elected; the persons named in the first section of this act shall be the managers, and shall have the control and management of the affairs of said company for one year, or until their successors are duly elected. **Government and control, relative to.**

By-laws.

SECTION 5. That by-laws for the regulation of the company shall be enacted and passed by the corporators or managers, and shall provide for the annual election and other meetings of stockholders and managers, and for all other matters and things necessary for carrying on the business and affairs of the company not herein provided for; and the privileges hereby granted shall not be enjoyed for a period longer than thirty years, unless otherwise granted by the legislature.

Limitation.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The sixth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 154.

## A N A C T

Relating to Roads and Bridges in Washington county, extended to Lycoming and Indiana counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the act, entitled "An Act relating to roads and bridges in Washington county," passed the thirtieth day of March, Anno Domini one thousand eight hundred and fifty-nine, be and the same is hereby extended to the counties of Lycoming and Indiana.*

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twelfth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.



No. 155.

## A N A C T

To refund the amount of Enrolment Tax paid upon an act to incorporate the National Art Association.

WHEREAS, An act to incorporate the National art association was passed at the last session of the legislature, and received the approval of the governor, and immediately thereafter an act was passed repealing the same, thereby depriving the said association of any advantage arising from its incorporation ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the state treasurer be and is hereby instructed to refund such sum of money as may have been received for the enrolment of said act.*

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twelfth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 156.

## A N A C T

To establish a place of holding Elections in Terry township, Bradford county.

WHEREAS, The township of Terry, in the county of Bradford, has been recently created :

*And whereas, Said township is without any place of holding elections, except by temporary appointment by the court ; therefore,*

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, all general, special and township elections in Terry township, Bradford county, shall be held at the house of Edward J. Shepard, in said township, until*

the same shall be changed in accordance with the laws of this commonwealth, in said cases made and provided.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twelfth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 157.

## AN ACT

Supplementary to the act incorporating the Columbus and State Line Plank Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Columbus and State Line plank road company be and is hereby authorized and empowered to cover the plank or bed of their said road with pounded stone or gravel, or other hard substance, in lieu of re-planking the same, at such points as the president and managers of said company may deem advisable.

May cover road  
with stone or  
gravel.

SECTION 2. That in case the president and managers of said plank road company cannot agree with the owner or owners of land contiguous to said road, for the materials necessary to cover the plank or bed of their road, as provided in the first section of this act, then and in that case the right of the company to enter upon lands contiguous and near to the said plank road, and to take such necessary materials, may, from time to time, be obtained by said company under the provisions of the ninth section of the act, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, entitled "An Act regulating turnpike and plank road companies."

Materials for  
covering road,  
relative to pay-  
ment for.

Subject to

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twelfth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 158.

## AN ACT

Declaring Roaring run, in the county of Clearfield, a Public Highway.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Roaring run, a tributary of Clearfield creek, in Bradford township, Clearfield county, be and the same is hereby declared a public highway, from the mouth thereof to its sources, for the passage of rafts, timber, logs and vessels.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twelfth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 159.

## AN ACT

To incorporate the Tuscarora Female Institute.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* a seminary or high school, for the education of females in science, literature and the useful arts, shall be established in or near Academia, Juniata county, by the name and style of the Tuscarora female institute. Institute established.

SECTION 2. That all buildings, lands and other effects shall be vested in a board of trustees, and their successors, in trust for the use of said corporation, who shall have one body politic and corporate, with perpetual succession, in deed and in law, by the name, style and title of the Tuscarora female institute; and shall be able to sue and be sued, implead and be impleaded, in all courts of record and elsewhere; and shall be capable, in law and equity, to take, hold, purchase, lease, sell, dispose of and rent, to a teacher or teachers, for the use of said institute, lands, tenements or other effects belonging to said corporation, to erect Lands and effects vested in board of trustees.  
Style.  
Powers.

or rent, for their use, buildings and lands, and generally do all and singular things lawful for them to do.

Seal.

SECTION 3. That said corporation shall have one common seal, and power to alter and renew the same at pleasure.

Trustees, powers  
and duty of.

SECTION 4. That Reverend G. W. Thompson, James M. Sellers, John J. Patterson, W. W. Wilson, Jacob Suloff, John Patterson and John Balsback, be and are hereby named trustees of said institute, with power to increase their number to fifteen, to fill vacancies, to elect a president, secretary and treasurer, to enact such by-laws as may be necessary; any three of said trustees shall constitute a quorum to transact business, who, in the absence of the officers, may elect officers *pro tempore*; said trustees shall have full power to receive and hold, in trust for said corporation, all subscriptions, gifts, endowments or bequests; said trustees, for the purpose of purchasing real estate or raising money for the benefit of said corporation, shall have power to issue and sell stock to any amount they may think proper; the shares to be of fifty dollars each.

When to meet.

SECTION 5. That said trustees shall meet immediately after the passage of this act, and proceed to carry out the provisions of this act, and shall meet as often as they may think proper.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twelfth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 160.

## AN ACT

For the relief of Margaret Libengood, widow of Jacob Libengood, a Soldier of the Revolutionary war.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be and he is hereby authorized and directed to pay Margaret Libengood, of Westmoreland county, the widow of a soldier of the Revolutionary war, or to her order, a gratuity of forty dollars, and an annuity of forty dollars during the term of her natural life, commencing on the first day of January, Anno Domini one thousand eight hundred and sixty, and pay-

able half yearly thereafter on the first day of January and July.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twelfth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 161.

# A N A C T

To increase the pay of the Commissioners and Auditors of Clarion and Somerset counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, the county commissioners and county auditors of Clarion and Somerset counties shall each be entitled to receive, from the county treasurer, two dollars per day for each day by any of them employed in the duties of their office.*

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twelfth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER

No. 162.

## A N A C T

To pay A. Heintzelman, D. Mickly and Peter Mickly, for damages occasioned by the Gettysburg Extension of Pennsylvania Railroad, as awarded by the Auditor General and Attorney General.

WHEREAS, By an act of assembly, approved the fifteenth day of April, one thousand eight hundred and fifty-nine, the claims of A. Heintzelman, D. Mickly and Peter Mickly, for damages occasioned by the Gettysburg extension of Pennsylvania railroad, were referred to the auditor general and attorney general, to investigate the same and report to the next legislature:

*And whereas,* The said auditor general and attorney general have reported to this legislature that they have investigated the aforesaid claims, and that they find in favor of D. Mickly the sum of four hundred dollars, to P. Mickly the sum of three hundred dollars, and to Andrew Heintzelman the sum of two hundred dollars, in full for their damages, exclusive of the damages for fencing, which were heretofore allowed; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer is hereby authorized and directed to pay to the said D. Mickly, Peter Mickly and Andrew Heintzelman, or their order, the sum awarded to each of the aforesaid claimants by the auditor general and attorney general.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twelfth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 163.

## A N A C T

To repeal an act to empower the Electors of Pollock township, in the county of Lawrence, to elect Supervisors of Highways and Overseers of the Poor.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That



the act to empower the electors of Pollock township, in the county of Lawrence, to elect supervisors of highways and overseers of the poor, and approved the thirty-first day of March, Anno Domini one thousand eight hundred and fifty-nine, be and the same is hereby repealed.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twelfth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 164.

## AN ACT

To change the time of holding the Borough Election in the borough of New Alexandria, in the county of Westmoreland.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the borough election for the election of borough officers, as designated in the charter of said borough, be held at the same time, place and manner, and by the same officers of election that hold the election for inspectors, justices of the peace, constables, supervisors, et cetera; and that so much of the act of incorporation of the borough of New Alexandria, as refers to the time and manner of electing borough officers, is hereby repealed.

Time and place  
of holding elec-  
tions.

SECTION 2. That in addition to the powers granted to said borough by the act incorporating the same, and its several supplements, the corporation and its several officers shall possess, perform and exercise all the powers, jurisdictions and duties conferred and enjoined on borough and borough officers by the general law respecting boroughs, passed the third day of April, Anno Domini one thousand eight hundred and fifty-one, so far as the same may not be contrary to or inconsistent with the laws now in force in said borough.

Subject to gene-  
ral borough law.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate*

APPROVED—The twelfth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 165.

## A N A C T

Authorizing the election of two additional Supervisors in the township of Wayne, in the county of Greene.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That it shall be lawful for the qualified electors of the township of Wayne, in the county of Greene, to elect, at their next township election, four supervisors of roads and highways for said township.*

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twelfth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 166.

## A N A C T

To decrease the expenses of Greene county, in opening Public Roads and Highways in said county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That upon the petition of any person interested, it shall be the duty of the court of quarter sessions of said county of Greene to grant orders, from time to time, as applications are made for the same, as aforesaid, to review any roads or public highways after the same have been confirmed, and as well before as after they have been opened.*

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twelfth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 167.

## A N A C T

Relative to the Towanda Bridge Company.

WHEREAS, By an act of assembly, approved the thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine, entitled "An Act authorizing the state treasurer to pay to the Towanda bridge company a balance due them," et cetera, the sum of one thousand five hundred dollars was appropriated to pay the said bridge company a balance due them in pursuance of a contract with the late board of canal commissioners, contingent upon the attorney general filing with the state treasurer his opinion relative the subject:

*And whereas,* The attorney general has as yet failed to file his opinion as required by said act; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the attorney general is hereby requested to file his opinion upon the subject with the state treasurer, as is required by said act; and in case of his failure to do so by the first day of April next, then the state treasurer is hereby authorized and required to pay to the Towanda bridge company the money appropriated to them by said act.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The thirteenth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 168.

## A N A C T

To change the name of the Pennsylvania and Lehigh Zinc Company, to reduce the number of shares of the capital stock, with power to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

- Name changed.** the name of the corporation called heretofore "The Pennsylvania and Lehigh zinc company," be changed to that of the Lehigh zinc company, by which latter name the said corporation shall be hereafter known and designated, and shall have all the
- Subject to.** rights, powers and privileges, and be subject to all the duties, responsibilities and liabilities which are given, authorized and imposed by the act incorporating said company, and all acts supplementary thereto, in the same manner and as fully as if said change of name had not occurred; and by said new name the said corporation\* shall hereafter be capable of performing every corporate act, and of making and using a common seal, in the same manner and to the same extent as if no change of name had taken place.
- Number of shares reduced.** SECTION 2. That the number of shares of the capital stock of said company be reduced from two hundred thousand to twenty thousand, and that the par value of each share of stock be increased from five dollars to fifty dollars; and that said company be authorized to call in the present shares of the capital stock, and issue in exchange therefor new shares, at the rate of ten old shares for one new share of stock.
- Par value increased.**
- Power of borrowing money and securing the payment of, relative to,** SECTION 3. That the power of borrowing money, and securing the payment thereof by the execution of a mortgage, under its corporate seal, upon any part or the whole of the corporate estate or franchises of said company, and of issuing bonds, certificates or other evidences of debt for such loan or loans, or any part thereof, heretofore conferred on said company by any law of this commonwealth, may be exercised by said company, from time to time, as they may deem expedient, notwithstanding the existence of the whole or any part of a previous loan or loans outstanding at the time of the creation of any new or subsequent loan or loans: *Provided*, That no bond or certificate of indebtedness, issued by this corporation, shall be for a less sum than one hundred dollars.
- Proviso.**

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The sixteenth day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 169.

## A SUPPLEMENT

To an act to incorporate the Andalusia and Hulmesville Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the stockholders may, at any annual meeting, change the time of the annual meetings of the company. May change time of annual meetings.

SECTION 2. That the artificial construction of said road may be of stone, gravel or other hard substance, and not less than fifteen feet wide. Material for road

SECTION 3. That so soon, and as often as the said company shall construct one mile of said road, the same proceedings shall be had as if five miles had been finished; and when they are authorized to receive tolls, it shall be lawful for said company to receive and collect such amounts and description of tolls as the Frankford and Bristol turnpike company are now by law authorized to collect. Tolls.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The thirteenth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 170.

## AN ACT

Authorizing the Electors of Hickory township, in Lawrence county, to elect one additional Supervisor.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* from and after the passage of this act, it shall be lawful for the

## LAWS OF PENNSYLVANIA,

electors of Hickory township, in the county of Lawrence, to elect one additional supervisor.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The thirteenth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 171.

## A N A C T

Authorizing the qualified Voters of Unity township, Westmoreland, to elect one additional Supervisor.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* hereafter the qualified voters of the township of Unity, in the county of Westmoreland, shall, at the time and in the manner provided by law, elect three supervisors of roads in said township instead of two, with the same powers, duties and responsibilities provided by existing laws.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The thirteenth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 172.

## A S U P P L E M E N T

To the act to incorporate the Farmers' Market Company, approved March nineteenth, Anno Domini one thousand eight hundred and fifty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*



the board of managers of the Farmers' market company may at any time hereafter, at their discretion, elect, for either secretary or treasurer, a person not a member of the board of managers; and that hereafter at least six of the managers of said company shall be farmers residing in the counties of Delaware, Chester, Montgomery or Bucks; and that the time for the annual meeting of stockholders of said company be and is hereby changed to the second Saturday of January.

SECTION 2. That the said company be and it is hereby authorized to borrow money to an amount not exceeding seventy-five thousand dollars, and to issue bonds or certificates of loan for the payment of the same, in such amounts, and payable at such time or times, and at such rate of interest not exceeding eight per centum per annum, and to sell the same at such discount as the board of managers may determine, with or without coupons attached; and it shall be lawful for the board of managers of said company to secure the payment of said bonds or certificates of loan by a mortgage or mortgages, executed in due form, in the corporate name of the said company, and under its corporate seal, to trustees to be named therein, on the lot or lots of ground and market building erected or to be erected thereon, franchises, and all property, real and personal, of the said company, and the revenues, rents, issues and profits thereof, as they may deem best.

Board of managers, relative to.

Authorized to borrow money.

To be secured by mortgage.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The thirteenth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 173.

## A FURTHER SUPPLEMENT

To an act to incorporate the borough of Marietta, in the county of Lancaster, passed February fifteenth, one thousand eight hundred and thirty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall and may be lawful for the town council of said borough to require the owner or owners, person or persons having charge of any ground, by lease or otherwise, fronting on any footway, to pave the said footways with such materials, and of such width,

Paving footways. relative to

Subject to.

and in such manner as the said town council shall, by ordinance, regulate, provide and direct, subject to the provisions of the act, entitled "A supplement to an act, entitled 'An Act to incorporate the borough of Marietta, in the county of Lancaster,' passed February fifteenth, one thousand eight hundred and thirty-four," passed March ninth, one thousand eight hundred and forty-three.

Term of borough  
lien for curbing  
and paving.

SECTION 2. That in addition to the remedy provided by the second section of the act, entitled "A supplement to an act, entitled 'An Act to incorporate the borough of Marietta, in the county of Lancaster,' passed February fifteenth, one thousand eight hundred and thirty-four," passed March ninth, one thousand eight hundred and forty-three, for recovering the expense incurred by the said borough for paving and curbing footways in said borough, against such owner or owners, person or persons having the charge of any ground, who shall have neglected or refuse to pave and curb the same, after twenty days' notice, it is hereby enacted and provided that the amount of the expense incurred by the said borough of curbing and paving the footways, as authorized in the first section of this act, and in the acts to which this is a further supplement, shall be and remain a lien on the ground and buildings in front of which said curbing and paving of footways shall have been made and done, for the period of two years from the time the said curbing and paving of footways shall have been finished.

Penalty for  
throwing rubbish  
or filth into the  
street.

SECTION 3. That if any person or persons, after the passage of this act, shall lay, cast or throw, or cause to be laid, cast or thrown, any shavings, ashes, rubbish, lumber, wood or filth of any kind on any pavement, public street, lane or alley of the borough of Marietta, save only in such parts and places therein as shall be appointed and agreed on by the town council of the said borough, every such person shall forfeit and pay for every such offence the sum of five dollars, and pay costs of removing the same, to be recovered as debts of like amount are by law recoverable.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The thirteenth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 174.

## AN ACT

To incorporate the Model Farm Association.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Daniel H. Mulvany, Hiram Corson, M. D., Charles T. Elliot and Dennis Kelly, of Montgomery county; Charles Kelly, Y. S. Walter, Abram P. Morgan, Joshua P. Eyre, Townsend Speakman, George Smith, M. D., and Samuel Riddle, of Delaware county; J. Lacy Darlington, J. K. Eshleman, M. D., Marshall B. Hickman, Isaac W. Vanleer and J. J. Monaghan, of Chester county; David Landreth, William Stavely and Adrian Cornell, of Bucks county; Charles W. Harrison, Algernon S. Roberts, Matthew W. Baldwin, D. Rodney King, A. L. Elwyn, M. D., John M. Butler, Joseph Harrison, junior, Joseph E. Mitchell, Paschell Morris, Alfred L. Kennedy, M. D., of Philadelphia county, and all persons who may become holders of the stock hereinafter mentioned, shall be and they are hereby declared to be constituted a body politic and corporate, by the name, style and title of the Model Farm association; to have, by that name, perpetual succession; to be capable in law of suing and being sued; to have a common seal, and the same to alter and renew at pleasure; and to have, hold, receive, enjoy and take, in fee simple or otherwise, such real, and also such personal, estate as may by them be deemed necessary and proper for the ownership and establishment of a model farm and botanic garden, and for the proper management and maintenance of the same, with full power to sell, mortgage, convey, or in any manner dispose of, the said real or personal estate, in any part thereof: *Provided,* That the model farm and botanic garden, the establishment of which is authorized by this act, shall be located in one of the five following counties, viz: Montgomery, Delaware, Chester, Bucks or Philadelphia.

SECTION 2. That the object of said corporation shall be to secure and lay out a tract of land, erect suitable buildings, and otherwise so improve their property as to adapt it to the purposes of a model or experimental farm and botanic garden, and to determine and illustrate thereupon, by carefully conducted experiments, the relative adaptedness of soil to crop, the best methods of cultivation, the practicability of acclimating useful and ornamental foreign plants, the worth to stock of different varieties of food, and methods of feeding, the comparative value of breeds of stock, and the means of preventing and treating their diseases. It shall further be the object of said corporation to form an extensive and scientifically classified collection of growing plants, to publish, from time to time, the details and result of the experiments aforesaid, and to apply these, and such other measures as they, the said corporation, may approve, in

the advancement of American agriculture and horticulture, and especially in the instruction of youth in the principles and practice of enlightened husbandry.

Government and control.

SECTION 3. That the government, control and corporate powers of said body politic, viz: the Model Farm association, and the management of their property, shall be vested in and exercised by a board of managers, who shall be elected by ballot from among the stockholders; these managers shall continue in office until their successors are elected; and they shall elect a president, secretary and treasurer of the association from among themselves: *Provided*, That until the first election of managers, the persons named in the first section of this act shall be held and regarded as the managers of the corporation; and any five of those persons shall be considered a quorum: *Provided further*, That immediately after the managers shall be assembled consequent upon the first election, they shall be divided into three classes, and the seats of said managers shall be vacated as follows: Those of the first class at the end of the first year, those of the second class at the end of the second year, those of the third class at the end of the third year, so that one-third may be chosen every year, and subject to the provision just stated; each manager shall continue in office three years; vacancies happening by resignation or otherwise, shall be supplied by the remaining managers from among the stockholders.

Proviso.

Proviso.

Capital.

SECTION 4. That the capital stock of said corporation shall not exceed fifty thousand dollars, to be divided into one thousand shares of fifty dollars each; the shares to be transferred, and certificates thereof issued, only in such manner as may be provided by the by-laws established by the board of managers.

General meeting of stockholders.

SECTION 5. That a general meeting of the stockholders shall be held annually, on the second Monday in January, for the election of managers and the transaction of other business; but if such meeting and election shall not then take place, the corporation shall not for that cause be dissolved, but such meeting and election shall take place as soon thereafter as may be, one week's public notice of such meeting being first published in at least one daily newspaper in Philadelphia, and one weekly paper in each of the counties of Montgomery, Delaware, Chester and Bucks; special meetings of the corporation shall be held as may be provided by the by-laws; in the enactment of by-laws for the government of the corporation, and in the election of managers, the stockholders present shall be entitled to one vote for each share of stock held by them; all by-laws shall be conformable to the constitution of the United States, to that of this state, and to this charter; the adoption thereof, and every amendment, shall be at a meeting of the stockholders, by a vote of at least three-fourths of those present.

Notice of.

By-laws and vote.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The eighth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 175.

## AN ACT

To fix the place of holding the Election in the borough of Elizabethtown,  
Lancaster county.

WHEREAS, The third election district of Lancaster county has lately had two other election districts framed out of it:

*And whereas,* The people of the borough of Elizabethtown, part of the said third election district, by reason of said change, are left without any authorized place wherein to hold the ensuing election, and without any officers to conduct it:

*And whereas,* The time intervening before the next election is too short to allow such place and officers to be selected in accordance with existing laws; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the next election, on the sixteenth day of March, one thousand eight hundred and sixty, in the borough of Elizabethtown, shall be held at the public house of Abraham Greenawalt, in said borough; and that Joseph Clinton shall be judge, and Christian Wieland and Henry Harmany shall be inspectors of said election; and that the election for constable and assessor of the borough shall be held at the same place and time, and by the same officers.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The fourteenth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 176.

## A SUPPLEMENT

To an act to alter and amend an act to erect the town of Chester and its vicinity into a borough, and for other purposes therein mentioned.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That



**Repeal.** the third proviso to the ninth section of the act to which this is a supplement, relating to the taxation of lands used for agricultural purposes, be and the same is hereby repealed; and in lieu thereof, it is hereby enacted and provided, that on any tract of land within the borough limits, the dwelling house or houses, with the improvements thereunto appertaining, the gardens, yards and lawns, shall be assessed at the county valuation, or

**Assessments, relative to.** as other property is assessed for borough purposes; and all farm lands, except as aforesaid, used for strictly agricultural purposes, shall be exempt from taxation, except for state, county, school and road purposes.

**Repeal.** SECTION 2. That the proviso to the twelfth section of the act to which this is a supplement, is hereby repealed; and the proviso to the twenty-fourth section of the said act, as far as the same relates to the curbing and paving, shall be inoperative and of no restraining effect in all cases in which the ordinances requiring such curbing and paving shall be passed by the unanimous recorded vote of said council.

**Relative to levying road tax.** SECTION 3. That hereafter it shall be lawful for the town council of said borough to levy a road tax, at the county valuation, on all real and personal property assessed for state and county purposes, except bank stocks and moneys at interest, for defraying the expenses of opening, grading and repairing the public highways of said borough, to be kept as a separate fund for that purpose, and the accounts to be audited and published annually, the same as other borough accounts; and all laws or parts of laws inconsistent herewith, be and the same are hereby repealed.

**Unimproved lots, list of to be made out of taxes due thereon.** SECTION 4. That it shall be the duty of the council of the said borough to make out and deliver annually to the county treasurer, a list of all the lots within the limits of the said borough upon which no buildings are erected, with the name of the owner or reputed owner, and the amount of taxes due thereon, specifying each; and it shall be the duty of the said treasurer to advertise and sell, in the same manner in which unseated lands are sold for the payment of taxes, all such lots on which taxes have been due and unpaid for more than two years; and the said treasurer shall pay over to the said council, or their treasurer, the proceeds of such sale, paying first to the proper school district all school taxes due, and deducting therefrom all unpaid state and county taxes, and five per cent. for his trouble; and he is hereby made liable, on his official bond, for the faithful discharge of the duties hereby reposed: *Provided*, That the said sales shall in all respects be governed, as to the right of redemption, by the existing laws for the sale of unseated lands for the payment of taxes within this commonwealth.

**Proviso.** SECTION 5. That from and after the passage of this act, the said borough of Chester shall be and is hereby divided into three wards, to be separate election districts, as follows, to wit: That portion of the said borough south and west of Chester creek, to be called South ward; that portion east of said creek, and south and east of the Philadelphia, Wilmington and Baltimore railroad, to be called Middle ward; and that portion east of said creek and north of said railroad, to be called North ward. Hereafter said wards, at all general, electoral and special elections, shall hold their elections at separate windows in the town hall

**Borough divided into three wards.**

**Limits of South ward.**

**Of the Middle ward.**

**Of the North ward.**



in said borough, and borough elections at such places as may be specified by the town council in the respective wards, legal notices thereof to be given by the constables of the respective wards, as is required by and provided in the twenty-second section of the act to which this is a supplement.

Election to be held at the town hall.

SECTION 6. That the qualified electors in each ward shall, at the times and in the manner prescribed by law, elect one judge of elections, two inspectors of elections, one justice of the peace, one constable, three persons to serve as members of the town council, and two persons as school directors; but the burgess, assessor, assistant assessors, and all other officers, shall be voted for in the several wards, and elected by the qualified voters of the borough as heretofore, without regard to locality or division into wards: *Provided*, That the said borough be and remain, as heretofore, one school district: *And provided further*, That the first election for justice of the peace in the South ward, shall be at the next preceding election to the expiration of the commission of the present officer residing within the limits of said ward: *And further provided*, That the elections for members of council and school directors shall be held as follows, to wit: In the South ward, at the election to be held on the first Monday of April, one thousand eight hundred and sixty, there shall be elected one member of council to serve for one year, and one member to serve for three years, and at every subsequent borough election one member to serve for three years; and at the first aforesaid election, and at every third subsequent borough election, two persons to serve as school directors for three years. In the Middle ward, at the election to be held on the first Monday of April, one thousand eight hundred and sixty-one, there shall be elected one member of council to serve for two years, and one member to serve for three years, and at every subsequent borough election thereafter one member to serve for three years; and at the election to be held on the first Monday of April, one thousand eight hundred and sixty-two, and at every third subsequent borough election thereafter, two persons to serve as school directors for three years. In the North ward, at the election to be held on the first Monday of April, one thousand eight hundred and sixty, and at every subsequent borough election, one person to serve as member of council for three years; and at the election to be held on the first Monday of April, one thousand eight hundred and sixty-one, and at every third subsequent election thereafter, two persons to serve as school directors for three years.

Election of borough officers, relative to.

Borough to remain one school district.

Justice of the peace, election of.

Town council and school directors, election and terms of in South ward.

In the Middle ward.

In the North ward.

SECTION 7. The judge and inspectors elected at the election held on the first Monday of April, one thousand eight hundred and fifty-nine, shall serve as such in the Middle ward; and the town council shall appoint suitable persons to serve as judge and inspectors for conducting the first elections to be held after the passage of this act in the South and North wards; and all subsequent elections shall be conducted by officers elected in each ward, as is provided by law for the election of judges and inspectors in the several wards, districts and townships throughout the state.

Judges and inspectors, relative to.

SECTION 8. The judge of each ward shall be a return judge; and they shall make the returns jointly to the town council of

Judge of each ward to be a return judge.

the elections for borough officers, and severally, as is provided by law, for the returns of justices of the peace, and of general, special and electoral elections.

Election and  
duty of clerk.

SECTION 9. The town council shall have power to elect, *viva voce*, at such times as may be prescribed by ordinance or resolution of the board, one suitable person as clerk, whose duty it shall be to attend all the meetings of the council, when assembled on business of the corporation, and perform all the duties of clerk thereto, and attest, keep and preserve the records of the corporation, and be answerable for the same, and also perform all other duties enjoined upon him by said council.

Repeal.

SECTION 10. That so much of the act to alter and amend the charter of said borough, passed the sixth day of April, one thousand eight hundred and fifty, and of the supplements thereto, as may be altered or supplied by this act, or which may be inconsistent herewith, the same is hereby repealed.

The erection of  
certain establish-  
ments prohibited

SECTION 11. That from and after the passage of this act, no bone-boiling establishment, slaughter house or other nuisance shall be erected or created within the limits of said borough of Chester.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The fourteenth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 177.

## AN ACT

To enable the Commissioners of Sheffield township, Warren county, to levy an additional Road Tax.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the road commissioners of the township of Sheffield, in the county of Warren, are hereby authorized to levy a road tax, not exceeding fifteen mills on each dollar of the assessed valuation of property in said township, in addition to the tax now authorized to be levied by law; and that no irregularity in the levying*

of road taxes heretofore levied in said township, shall prevent the collection of the same.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The fourteenth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 178.

## AN ACT

To change the Road Laws in South Coventry township, Chester county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth and thirteenth sections of an act, entitled "An Act to incorporate the Coatesville, Mortenville and Doe Run plank road company, and relative to the repair of public roads in Birmingham township, Delaware county, and relative to the Darby and Upper Darby plank road company," approved the twenty-sixth day of March, Anno Domini one thousand eight hundred and fifty-three, be and the same are hereby extended to the township of South Coventry, in Chester county. Certain act extended to.

SECTION 2. That such parts of the existing road laws as are inconsistent with this act are hereby repealed, so far as relates to the township of South Coventry, in Chester county. Repeal.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The fourteenth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 179.

## A N A C T

Authorizing the Auditor General to cancel any balance standing open against the Lebanon Bank in his office, on Dividends of said Bank.

WHEREAS, There is a dispute pending between the commonwealth of Pennsylvania and the Lebanon Bank, in regard to a certain balance standing open on the books of the auditor general against said bank, on account of the tax on dividends of said bank for the year one thousand eight hundred and forty-one; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the auditor general is hereby authorized and required to cancel any balance standing open against the Lebanon Bank in his office, for tax on dividends of said bank for the year one thousand eight hundred and forty-one: Provided, The auditor general shall be of the opinion that the said bank has been erroneously and illegally taxed to the amount of the aforesaid balance: Provided, That the sum so cancelled shall not exceed in amount thirty-two dollars and sixty-seven cents.*

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The fourteenth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 180.

## A N A C T

To repeal an act in relation to the appointment of Collectors of State and County Taxes, so far as the same relates to Westmoreland, Adams, York and Fayette counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the provisions of the act of the general assembly of the com-*

monwealth of Pennsylvania, approved the first day of February, Anno Domini one thousand eight hundred and fifty-six, entitled "An Act in relation to the appointment of collectors of state and county taxes," shall not hereafter apply to the appointment of collectors of state and county taxes in the counties of Westmoreland, Fayette, Adams and York, but that the provisions of said act be and the same hereby are repealed, so far as they relate to said counties; and that the commissioners of said counties be and are hereby required to appoint one of the persons returned by the assessor of each ward, borough and township, in said counties, for tax collector, according to the provisions of the act passed the fifteenth day of April, eighteen hundred and thirty-four, entitled "An Act relating to county rates and levies, and township rates and levies;" nor shall the commissioners of said counties have any power to appoint any other person to be tax collector, except the persons so returned for that purpose as aforesaid, until both of the persons so returned from each ward, borough and township, shall have been notified, and failed to give the security authorized by law to be required from them, when demanded by said commissioners.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The fourteenth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 181.

## AN ACT

Relating to the fees of Constables and the payment of Physicians for holding Post Mortem Examinations in the counties of Bucks and Montgomery.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the mileage to be charged and received by the constables of the counties of Bucks and Montgomery, for conveying prisoners to the common jail of said counties, shall be ten cents per mile circular for every mile necessarily traveled in the discharge of said duty, the mileage to be circular.

Mileage of constables for conveying prisoners to jail.

SECTION 2. That the act, entitled "An Act relative to the coroners of Berks and Lancaster counties," approved the eighth day of February, one thousand eight hundred and forty-eight,

Certain act extended to.

be and the same is hereby extended to the counties of Bucks and Montgomery.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The fourteenth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 182.

A N A C T

To authorize the Commissioners of Crawford county to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the commissioners of the county of Crawford are hereby authorized to borrow, on the credit of said county, such an amount of money, not exceeding ten thousand dollars, at such rate of interest, not exceeding six per cent. per annum, payable semi-annually, at the treasury of said county, in gold and silver coin, as they shall deem necessary for the purpose of purchasing, compromising and liquidating such of the bonds issued by the said county to the Pittsburg and Erie railroad company, as the holders may be willing to sell or compromise, on terms which the said commissioners may deem advantageous; which said loan may be made on such terms and conditions, and payable at such time or times as the said commissioners may think necessary and expedient; and the bonds or obligations issued by the commissioners for the money so borrowed, shall not be subject to taxation.*

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The fourteenth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.



No. 183.

## A N A C T

Repealing a certain act relative to Auctions and Auctioneers in the borough of Pottsville, Schuylkill county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That an act, entitled "A further supplement to an act regulating auctions in the city of Lancaster, and other towns in this commonwealth, and the several supplements thereto, approved the seventh April, one thousand eight hundred and thirty-two," passed the twelfth day of April, Anno Domini one thousand eight hundred and fifty-seven, be and the same is hereby repealed, so far as the same relates to the borough of Pottsville, in the county of Schuylkill.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The fourteenth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 184.

## A N A C T

To incorporate Christ's Evangelical Reformed Church, Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Jacob S. Fry, Joseph H. Shreiner, C. N. Brock, Jacob R. Souder, Corporators. Lewis Reimer, Enos Bean, Thomas F. Brock, William T. Porter and others, associated and to associate with them as members, be and they hereby are created one corporation and body politic, under the name and style of "Christ's Evangelical Reformed Style. church;" and by that name shall have perpetual succession, and be able to plead and be impleaded, sue and be sued, at law and Powers. in equity, in all courts here and elsewhere; and to make, have and use a common seal, and the same at pleasure to renew; and

also to be able and capable, in law and in equity, to take, hold and enjoy lands, tenements, hereditaments, goods and chattels, of whatsoever kind and nature, real, personal and mixed, which shall now or at any time hereafter become the property of said corporation, by gift, grant, bargain, sale, conveyance, devise, bequest or otherwise, from any person or persons whomsoever capable of making the same, and the same to grant, bargain and sell, and dispose of or mortgage: *Provided*, That the clear yearly value of such estate, real and personal, shall not at any time exceed the yearly sum of six thousand dollars.

Proviso.

Subject to.

SECTION 2. That this church and congregation shall be subject to the ecclesiastical jurisdiction of the synod of the German Reformed church in the United States, and shall in all respects be governed by the rules, regulations and usages of that body.

Affairs to be managed by a consistory.

SECTION 3. That the affairs of said corporation shall be managed and superintended by a "consistory," which shall be composed of the pastor for the time being, three elders and three deacons; but the number of elders and deacons constituting the "consistory" may be increased to six of each class, whenever it shall be so determined by a majority of the qualified voting members of the congregation. The consistory shall annually choose from their own number a president and secretary, and a treasurer from among the members of the congregation, who shall, if required, give security for the faithful discharge of his duties. In case of the removal of any of the officers, by death, resignation or otherwise, the vacancies shall be filled, until the next annual election, in the manner prescribed in the by-laws. The three elders shall be C. N. Brock, Jacob S. Fry and Joseph H. Shreiner, and the three deacons, Jacob R. Souder, Louis Reimer and Enos Bean, who shall constitute the consistory until an election shall be held under this act, and manage the affairs of said corporation.

Officers, how chosen.

To give security.

Vacancies, how filled.

Elders.

Deacons.

First election for deacons and elders, how conducted and when held.

SECTION 4. That the first election to be held in pursuance of this act shall be conducted by three members of the congregation, to be chosen by the consistory, and shall be held within one year from the passage of this act; at which election three elders and three deacons shall be elected, one elder and one deacon to serve for one, one elder and one deacon to serve for two, and one elder and one deacon to serve for three years, or until their successors shall respectively be elected. All subsequent elections to fill vacancies, or supply the place of those whose terms of office are expired, shall be held at such time and place, and be conducted in such manner as may be prescribed by the by-laws. Any officer whose term has expired may be re-elected.

Vacancies, relative to.

Who entitled to vote.

SECTION 5. Every male member of the congregation who is a communicant member of this church, in good and regular standing, shall be entitled to vote at all elections and business meetings of the congregation, provided he pays annually into the treasury of the church the amount of at least two sittings.

Pastor may be a member of consistory, and elected president.

SECTION 6. The pastor shall *ex-officio* be a member of the consistory, and entitled to a seat and vote therein, and may be elected the president thereof; but before any minister of the gospel shall enter upon the duties of pastor of this church, he must be in full and regular connexion with the synod of the German Reformed church aforesaid.

Pastor, relative to call of.

SECTION 7. The consistory shall not have power to sell, grant, convey or encumber, or otherwise dispose of, any lands or tenements in them vested, to any person or persons whomsoever, nor expend, or contract for the expenditure, of any sum of money exceeding five hundred dollars in any one year, excepting for the salaries of the pastor, organist, clerk and sexton, and the necessary expenses of fuel, light, and care of the church edifice, without the assent of two-thirds of the qualified voters of the congregation present, at a meeting especially convened for that purpose: *Provided however*, That the restrictions in this section contained, shall not apply to the contracting for and purchase, in the first instance, of a lot of ground, and for the erection thereon of a church edifice. Duties and powers of the consistory.

SECTION 8. That said consistory, and their successors, shall have power to enact and enforce such by-laws and ordinances as may be proper and necessary for the regulation and proper transaction of the business of the corporation: *Provided*, That said by-laws and ordinances shall not be inconsistent with the constitution and laws of this commonwealth, or with the constitution and laws of the United States. By-laws.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The fourteenth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 185.

## A N A C T

Relative to the manner of Voting in Somerset county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That from and after the passage of this act, the qualified voters of Somerset county shall vote for governor, surveyor general, auditor general, members of congress, state senators and members of the house of representatives, and judges of the supreme court, on one ticket, which shall be labelled on the outside state officers; and for all other candidates which may be voted for at any general election, including judges of the court of common pleas of said county, on a separate ticket, to be labelled on the outside county officers; and all laws inconsistent herewith, are hereby repealed. Manner of voting changed.

Certain election  
in Jenner town-  
ship legalized.

SECTION 2. That the election had on the third Friday of March, one thousand eight hundred and fifty-nine, in Jenner township, Somerset county, on the question of fixing the place of holding elections in said township, be and the same is hereby legalized; and that the qualified voters of Southampton township, in said county, shall, after the passage of this act, hold their general and special elections at the house of John Sturtz, in said township.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The fourteenth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 186.

## A SUPPLEMENT

To the act incorporating the Plymouth and Wilkesbarre Railroad and Bridge Company, approved the twelfth day of April, Anno Domini one thousand eight hundred and fifty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the number of directors shall consist of not more than twelve nor less than seven, who shall be elected at the time and in manner prescribed by the third section of the act regulating railroad companies, approved the nineteenth day of February, one thousand eight hundred and forty-nine.

Directors, num-  
ber and election  
of.

Chartered com-  
panies may sub-  
scribe to stock.

SECTION 2. That it shall be lawful for any other chartered company to subscribe to the capital stock of this company, or to loan the said company money, in such manner as is provided in the second section of the act to which this is a supplement.

Construction of  
bridge, relative  
to.

SECTION 3. That the said company shall have power, at their option, to construct the bridge provided for in the act to which this is a supplement, so that the same may be a toll and railroad bridge, and charge and receive tolls for crossing the same whenever it shall be finished.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

## No. 187.

## A SUPPLEMENT

To an act, entitled "An Act to incorporate the Philadelphia and Crescent Navigation Company," approved the twenty-eighth day of April, Anno Domini one thousand eight hundred and fifty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the act to which this is a supplement, as limits the capital stock of the Philadelphia and Crescent navigation company to five hundred thousand dollars, be and the same is hereby repealed; and that the said capital stock of the said corporation shall consist of one million dollars, divided into four thousand shares of two hundred and fifty dollars each. Capital stock increased.

SECTION 2. That the number of directors of the said corporation shall not exceed thirteen, and shall be elected in the manner provided for in the act to which this is a supplement; and that so much of the said act as limits the number of the said directors to five, be and the same is hereby repealed. Number and election of directors.

SECTION 3. That the said directors of the said company shall, from time, invest the profits earned by the steamship or steamships to construct and equip which the said stockholders were incorporated by the act to which this is a supplement, in such manner as shall appear to them most to conduce to the interest of the said company, and to further the purposes of its incorporation, and to change and re-invest the same until the amount of the said surplus profits shall be sufficient in amount to construct and equip an additional steam vessel; and when the said surplus profits shall amount to a sufficient sum for that purpose, it shall be their duty so to employ it until the number of the said steam vessels belonging to the said company shall amount to eight. Investment of profits.

SECTION 4. That the corporate name of the said corporation shall be changed to the California, Philadelphia and European steamship company; and that so much of the act to which this is a supplement, as conflicts with this section, be and the same is hereby repealed. Name changed.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The sixth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 188.

## AN ACT

To repeal an act, approved March thirty-first, one thousand eight hundred and fifty-nine, relative to Fees of the Sheriff of the county of Crawford.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That an act, approved the thirty-first day of March, Anno Domini one thousand eight hundred and fifty-nine, entitled "An act relative to the fees of the sheriff of Crawford county," be and the same is hereby repealed.*

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The sixteenth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 189.

## AN ACT

Requiring Supervisors of Roads and Overseers of the Poor in this Commonwealth to give security.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, it shall be the duty of the township auditors and borough councils to require the overseers of the poor and the supervisors of roads in each township and borough in this commonwealth, except in the county of Schuylkill, before entering upon their duties, to give bond, with security, to be approved by the auditors or borough councils, in a sum not less than double the probable amount of the tax which may come into the hands of the said officers; which bonds shall be taken in the name of the township or borough, conditioned for the faithful performance of their respective duties as supervisors and overseers of the poor, accounting for and paying over to the township treasurer, or to their successors in office, any*

Supervisors and overseers of the poor to give security.

Bond to be approved.

Bond, relative to.



balance that may remain in their hands at the settlement of their accounts by the aforesaid auditors or borough councils; and in case the said officers shall neglect or refuse to pay over said balance remaining in their hands, within thirty days after the settlement, it shall be the duty of the said auditors and borough councils holding the bonds, to proceed, by due course of law, to collect the same for the use of said township or borough: *Provided*, That each officer may give security, individually, in double the amount of such sum as may, in the judgment of the auditors or borough councils, come unto his hands for the ensuing year; and in such case he shall not be accountable for the acts of his associate in office. Proviso.

SECTION 2. That any officer or officers failing to give the security required by the first section of this act, within one month after his election, then his or their offices shall be declared vacant, and the court of quarter sessions shall appoint one or more, as the case may be, subject to all the restrictions of the first section of this act, and who shall hold his or their office till the next election; and until such appointment is made, the officer or officers giving bail shall act for one or more, and if all fail to give the required security, then the preceding officers shall perform the duties as heretofore, until such appointment is made by the court, in accordance with the provisions of this act. Office declared vacant upon refusal to give bond.  
Vacancies, how filled.

SECTION 3. That any officer failing to give the security required by this act, shall not be liable for the penalty imposed by existing laws upon township and borough officers refusing to serve: *Provided*, That the auditors and borough council shall be satisfied that such security could not be obtained. Officers failing to give security, relative to.  
Proviso.

SECTION 4. That all laws which are inconsistent with or supplied by the provisions of this act, be and the same are hereby repealed. Repeal.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The sixteenth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 190.

## AN ACT

To incorporate the city of Harrisburg, in the county of Dauphin.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

Boundaries of  
the city.

the present and future inhabitants of the borough of Harrisburg, and of the county of Dauphin, within the following boundaries, to wit: Beginning at low water mark on the western shore of the Susquehanna river, in a line with the south side of Reily street; thence across said river to low water mark on the eastern shore thereof, by a course bearing north sixty-four degrees east; thence by the same course along the south side of Reily street one hundred and twenty perches, to the eastern side of the Middletown turnpike; thence north eight degrees west forty-six and a half perches to a post on the south side of the poor house road, in front of the brick house (now or late) of G. L. Metzger; thence north sixty-four degrees east fifty-two perches to a post in the old Jonestown road, in front of the house of John F. Williams; thence north fifteen and three-quarter degrees west six hundred and eleven perches, to a point in a line with the centre of the state road leading from the Pennsylvania State Lunatic hospital to the river Susquehanna; thence by the centre of said road south seventy-four and a quarter degrees west three hundred and ninety-one perches, to the Susquehanna river; and thence continuing the same course across said river to the western boundary of Dauphin county; and thence by said western boundary down said river to the place of beginning, are hereby constituted a corporation and body politic, by the name and style

Name and style.

of "The city of Harrisburg," and by the same name shall have perpetual succession; and they and their successors, by such name, shall at all times, forever, be able and capable in law to have, purchase, receive, possess and enjoy lands, tenements and hereditaments, liberties, franchises and jurisdictions, goods, chattels and effects, to them and their successors forever, or for any other or less estate; and the same lands, tenements, hereditaments, goods, chattels and effects, by such name, to grant, bargain, sell, alien, convey, mortgage, pledge, charge and encumber, or demise and dispose of, at their will and pleasure; and by the same name shall be able and capable, in law or in equity, to sue or be sued, plead or be impleaded, answer and be answered unto, defend and be defended, in all courts of record and elsewhere, in all manner of suits, actions, complaints, pleas, causes, bills, answers, matters and things that to the said city, as a body politic and corporate, in law and in fact, shall and may appertain; and for that purpose shall have and use one common seal, and the same from time to time may change, alter, deface and make anew.

Powers.

Seal

City divided into  
six wards.

SECTION 2. That the territory included within the boundaries of the city of Harrisburg, as described in the preceding section of this act, shall be divided into six wards, in the following manner, to wit: All of the said territory lying south and east of a line beginning at the western boundary line of the said city, at a point opposite to the northern corner of the abutment of the Cumberland Valley railroad bridge; thence across the Susquehanna river, by the northern side of the said bridge, to the western side of Front street, in said city; thence across said street to the middle of Mulberry street, at its junction with Front street, in said city; thence along the middle of said Mulberry street to its intersection with Third street, in the said city; and thence by a line parallel to the southern boundary line of the

Boundaries of  
First ward.

said city, to a point on the eastern boundary line of the said city, shall be one ward, and shall be called the First ward. All of the said territory included within the following boundaries, to wit: Beginning at the north-west corner of the said First ward; thence along the northern boundary of the said last mentioned ward to the eastern corner of the said ward; thence by the eastern boundary line of the said city to a point in said boundary line opposite to the middle of Market street, in the said city; thence by a line parallel to the northern boundary of said First ward to the middle of Market street, at the intersection of said street with Canal street, in the said city; thence by the middle of Market street to a point opposite to the eastern side of the toll-house of the Harrisburg bridge; thence across the said river, (including said toll-house,) by the northern side of the said bridge, to a point in the western line of the said city opposite to the northern corner of the abutment of said bridge; and thence down the said river, by the low water mark thereof, to the north-western corner of the said First ward and place of beginning, shall be one ward, and shall be called the Second ward. And so much of the said city included within the following boundaries, to wit: Beginning at the north-western corner of the said Second ward; thence along the northern boundary line of the said ward to the eastern boundary line of the said city; thence along the said boundary line to a point in the said line opposite to the middle of Walnut street, in the said city; thence by a line parallel with the northern boundary line of the said Second ward to the middle of Walnut street, at its intersection with Canal street; thence by the middle of Walnut street to its intersection with Third street; thence along the northern side of Third street to a point opposite to the middle of Pine street; thence across Third, and along the middle of Pine street, to the eastern side of the said river; thence across the said river, by a line parallel to the northern line of said Second ward, to a point in the western boundary line of the said city; and thence down said last mentioned line to the north-western corner of said Second ward and place of beginning, shall be one ward, and called the Third ward. And so much of the said territory included in the following boundaries, to wit: Beginning at the north-western corner of the said Third ward; thence along the northern boundary line of said Third ward to the eastern boundary line of the said city; thence along the said eastern boundary line to a point opposite to the middle of North street, in the said city; thence on a line parallel with the northern line of said Third ward to the middle of North street, in said city; and thence along the middle of North street to the eastern side of the said river; thence across said river, on a line parallel with the northern boundary line of said Third ward, to the western boundary line of the said city; and thence down the said western boundary line to the north-western corner of said Third ward and place of beginning, shall be one ward, and called the Fourth ward. And so much of the said territory included in the following boundaries, to wit: Beginning at the north-western corner of the said Fourth ward; thence along the northern boundary line of the said Fourth ward to the eastern boundary line of the said city; thence up the eastern boundary

Second ward.

Third ward.

Fourth ward.

Fifth ward.

line of the said city to a point opposite to the middle of the road leading from Hammon's tavern to the Pennsylvania canal; thence by a line parallel with the northern line of the said Fourth ward to the middle of the said road; thence along the middle of the said road to the eastern side of the said river; and thence across the said river, by a line parallel with the northern line of said Fourth ward, to the western boundary line of the said city; and thence down said boundary line to the north-western corner of the said Fourth ward and place of beginning, shall be one ward, and called the Fifth ward. And all of the remainder of the territory of the said city shall also be one ward, and called the Sixth ward: *Provided*, That in all assessments for taxation, the island in the said river, now the property of General John Forster, shall be assessed in the Third ward, and the islands in said river opposite to the Sixth ward shall be assessed in the Sixth ward.

Sixth ward.

Common council,  
number of.

SECTION 3. That the said city shall have a common council, consisting of thirteen members, who shall be elected as is hereinafter provided, and who shall be inhabitants of the ward from which they shall be elected, and qualified to serve as members of the House of Representatives of this commonwealth.

Qualification of  
voters.

SECTION 4. That the freemen of the city of Harrisburg, citizens of this state or of the United States, who have resided within the limits of the said city, at least thirty days preceding the election, and at least ten days preceding such election in the ward wherein they offer to vote, and within one year previous to such election, paid a city tax, shall meet in the several wards on the second Friday in April Anno Domini one thousand eight hundred and sixty, and on the third Friday in March, yearly thereafter, and elect by ballot for their several wards, so many persons as the said wards severally may be entitled, to be members of council for the said city, for the years in which they shall be elected, each ward electing the number as hereinafter

Election, when  
held.

Number of coun-  
cilmembers in each  
ward.

provided, to wit: For the First ward, two members; for the Second, Third and Fourth wards, three members each; and for the Fifth and Sixth wards, one member each; the persons so elected by the several wards shall, at the first meeting at the council chamber after their election, divide themselves by lot into classes, as follows: Those of the First ward into two classes, those of each of the Second, Third and Fourth wards into three classes each, and those of the Fifth and Sixth wards shall also determine by lot, which of them shall serve as a member of said council for two years, and which of them shall serve for one year for those wards; the seats of the first class shall be vacated at the expiration of the first year, of the second class at the expiration of the second year, and those of the third class at the expiration of the third year: *Provided*, That the terms of offices of the members of council chosen at said first election shall expire as follows: Those of the first class on the fourth

Divided into  
classes.

Terms of office  
decided by lot.

When terms of  
office to expire.

Friday in March, one thousand eight hundred and sixty-one, those of the second class on the fourth Friday in March, one thousand eight hundred and sixty-two, and those of the third class on the fourth Friday in March, one thousand eight hundred and sixty-three, so that one member of council may be chosen in each of the First, Second, Third and Fourth wards

each and every year after said first election, and in the Fifth and Sixth wards one member in each and every alternate year after said first election, as the vacancies may occur in the said wards, under the classification aforesaid; and the members so elected at all elections subsequent to the said first election, shall be chosen for the following term or terms, to wit: Those of the First, Fifth and Sixth wards to serve for two years, and those of the Second, Third and Fourth wards to serve for three years respectively, from and after the fourth Friday in March, annually thereafter; and the first and every subsequent election of councilmen, to be held under this act, shall be held and conducted in the said city, at the places appointed by this act, for holding the elections in the several wards, by the officers selected by the voters of the said several wards, to hold and conduct the general elections next preceding, who are hereby authorized and required to hold said elections, except the first election to be held under this act as hereafter provided; and the said officers shall hold and conduct the said elections for their several wards, according to the provisions of the general election law of this commonwealth; and when an election to be had and held in pursuance of this section shall be closed, and the number of votes for each candidate or persons voted for shall be counted and ascertained, the persons herein authorized and required to hold and conduct such elections, shall prepare and make, under their respective hands and seals, duplicate returns of all the votes given at such election, one of which shall, with the tally lists and list of voters for all city officers, be deposited in one of the ballot boxes, and be sealed with the seals of said officers, and delivered within twenty-four hours of such election, to the nearest justice of the peace or alderman, within the respective wards for safe keeping, and the other to be delivered within twenty-four hours of such election, to the chief burgess of said borough, or to the mayor of the said city, to be filed in his office; and the officers of election shall make out a certificate of election, for each person chosen as a councilman, which certificate shall be delivered to the person so chosen, or left at his usual place of abode, by the chief police constable of said city, within three days after such election: *Provided*, That the payment of a borough or township tax, previous to the first election under this act, shall be equivalent to the payment of the city tax, as hereinbefore provided.

SECTION 5. That the said councilmen elect shall meet at the county court house in the said city, until otherwise provided for, between the hours of ten and twelve o'clock in the forenoon, on the Friday next following each and every election of councilmen, to be held in pursuance of this act, and shall then and there receive from the chief burgess of the said borough, or from the mayor of the said city, the returns of election to him made, and shall forthwith proceed to examine the same, and to judge and determine thereon; and for that purpose, and to the end and intent that this act, or the provisions herein contained, may not be ineffectual, the said councilmen elect, as the case may be, who shall be elected and returned as aforesaid, or a majority of them, who shall be a quorum for all business, shall be judges of their own election, and shall have full power

Terms of office at subsequent elections, relative to.

Elections for councilmen, how conducted and where held.

Duplicate returns of elections, relative to.

Where deposited

Provido.

Councilmen elect, when and where to meet.

Returns of election, relative to.

Quorum.



- and authority to approve thereof, or to set aside the same, or afterwards to vacate the seat of any member, for misbehaviour, neglect of duty, or other misdemeanor, and to order new elections, as the case may require, to be held at such times as shall be, by such council, respectively, appointed, of which at least fifteen days' previous notice shall be given by the chief police constable, by handbills posted up in the most public places within the proper ward, and by advertisement in two or more of the newspapers printed in the said city; which election shall be held in the proper ward, by the proper officers, herein authorized and directed to conduct the annual city election in such ward, who are hereby enjoined to do and perform the duties herein required of them, at such special election, and to make return of such election, in manner as aforesaid, and so in like manner, as often as occasion may require, upon the death, resignation or removal from the city of a member or members of the said council; and in case of a tie vote between candidates for membership of council is returned to council, such candidates, so having a tie vote, shall appear at the proper day, when the council for which they were candidates is organized, and shall, in the presence of such council, determine by lot which of them shall become a member of the same, and the one in whose favor the lot shall determine, shall be forthwith sworn in as councilman.
- Misbehaviour or neglect of duty, relative to.**
- Special election for councilmen to be published.**
- Tie vote, relative to.**
- Councilmen, how qualified, &c.**
- Time of meeting.**
- Powers of council.**
- Proviso.**
- SECTION 6. That each councilman who shall be elected, chosen and returned, in manner aforesaid, and whose election shall be so as aforesaid approved of, shall, before he enters on the execution of his office, take an oath or affirmation before the president, or one of the judges of the court of common pleas of Dauphin county, or before the mayor or one of the aldermen of the said city, for the time being, well and faithfully to execute the office of councilman of said city; and shall, thereupon, without any further or other commission, enter upon the duties thereof, and shall hold and exercise the same until the term of office for which he shall have been elected, as directed in and by this act, shall expire.
- SECTION 7. That the council shall assemble for the transaction of business on the first Saturday of every month in each year, and oftener, if occasion shall require, seven of whom shall constitute a quorum for the transaction of all business appertaining to the powers and duties of said council.
- SECTION 8. That the power of the said corporation of the said city shall be vested in the said council, or a quorum thereof, who shall, in council assembled, have full power and authority to make, ordain, constitute and establish all such by-laws, ordinances, resolutions and regulations as they may deem necessary to preserve the peace and promote the good order, government and welfare of the said city, and the prosperity and happiness of the inhabitants thereof, and the same to alter, amend, repeal or revoke: *Provided*, That the same shall not be contrary or repugnant to the laws and constitution of this commonwealth; and the same to enforce, put in use and execution by the mayor or aldermen of the said city, or by the police constables, watchmen, or other proper officers, whom the said council shall have power to appoint. Said council shall have, hold, possess and



enjoy all the powers now vested in the town council of the borough of Harrisburg, which powers are hereby transferred to, and vested in, the said council, in addition to the powers conferred upon them by this act: *And it is further enacted*, That the said council, or a quorum thereof, shall have jurisdiction and control over private alleys within the limits of the said city, so as to have the same cleansed and kept in order, graded, and provided with gutters or sewers, the expense whereof to be re-imbursed to the said city by the owners of the property having the right of access to, or passage along, the same, in such proportions as may be directed by the said council; the same, in case of non-payment, to be recoverable by the said corporation, by suit, before an alderman or justice of the peace, as debts of like amount are by law recoverable.

Jurisdiction and control over private alleys, relative to.

SECTION 9. That any by-law or ordinance which shall have been passed by the said council, shall be presented to the mayor; if he approves, he shall sign the same; but if he shall not approve, he shall return it, with his objections, to the council, who shall proceed to re-consider it. If, after such re-consideration, nine members of the council shall agree to pass such by-law or ordinance, it shall be a binding by-law or ordinance, and become a law, valid, to all intents and purposes, as if the same had been approved of by the said mayor; but in all such cases the votes of council shall be determined by yeas and nays, and the names of the members of council so voting, shall be entered on the minutes of said council; every by-law or ordinance which the mayor shall not return within fifteen days, shall have the same force and effect as if it had been approved of by the said mayor; the said mayor may approve ordinances in vacation of council, and may call special meetings of council, to re-consider ordinances which he does not approve, on one day's notice to each member of the said council, and in case of the temporary absence or inability of the mayor to act, the council shall, if necessary, appoint a mayor to serve until he shall return, or be able to resume the duties of his office; and whenever a vacancy shall occur in the office of mayor, by death or otherwise, it shall be the duty of the council to meet and elect, *viva voce*, a person qualified as aforesaid, to serve as mayor, who shall continue in office until the Friday succeeding the next city election; any additional salary or compensation, beyond the regular fees of the office of mayor, shall be fixed by council; the policemen, watchmen, and all other officers appointed by the said council, shall receive the compensation fixed by the by-laws or ordinances of council; and it shall be a misdemeanor in office for any of such officers to ask, demand or receive any other compensation or reward, for their official services, to be followed by dismissal or forfeiture of their respective offices.

By-laws and ordinances, relative to.

Temporary absence or inability of mayor, relative to.

Vacancy, how filled.

SECTION 10. That in order that a knowledge of the by-laws, ordinances, regulations and resolutions of the said city may, at all times, be had and obtained, and the publications thereof, at all times, be known and ascertained, the same shall be published in two of the public newspapers published in said city, within fifteen days from and after the same have been severally passed, ordained and established, and shall also be recorded in the office of the council, in a book provided for that purpose, within thirty

Ordinances and by-laws to be published.

days from and after the same have been so as aforesaid passed, ordained and established ; and before any of the said by-laws, ordinances, regulations and resolutions shall be so as aforesaid recorded, the publication thereof, respectively, with the times thereof, shall be proved by the oath or affirmation of the clerk of the said council, which said oath or affirmation shall be recorded therewith, and the same shall at all times be deemed and taken as sufficient evidence of the time of said publication, and the promulgation of the said by-laws, ordinances, regulations and resolutions.

Width of foot walks, paving and curbing thereof, relative to.

SECTION 11. That the council in council assembled, or a quorum thereof, shall have power, by ordinance or resolution, to determine the width of the side or foot walks of the streets, lanes or alleys within the limits of the said city, and to require and direct the paving and curbing thereof by the owner or owners of lots fronting thereon ; and on the failure or neglect of any person or persons, owning lots as aforesaid, to pave and curb the side or foot walks in front of his or their lot or lots, agreeably to the requisitions of such ordinance or resolution, the street commissioner of the proper ward or wards of the said city, shall cause the same to be paved and curbed at the expense of the said city, and the owner or owners of the said lot or lots, shall be liable to re-pay the expenses thereof to the said city ; and it shall be lawful for the said council to file their lien for the same in the court of common pleas of Dauphin county, which lien, when so filed, shall have priority to any mortgage, judgment, recognizance or liability to which the said lot or lots may become liable after such paving and curbing has been done by the said city, and the amount secured thereby, may be recovered by *scire facias*, as debts are recoverable under the mechanics' lien law of this state, in the corporate name of the said city : *Provided*, That such lien shall be filed within thirty days after such expense is incurred by the said city, and shall recite the name of the owner or reputed owner of such lot or lots, and when such lots are occupied, the name or names of the occupier or occupiers of such lots shall also be recited.

Proviso.

Halls of council to be open to admission.

SECTION 12. That the doors of the respective halls of the said council shall be open at all times when the said council is in session, for the admission of all orderly and peaceable persons who shall be desirous of being present at the discussions of any by-laws, regulations, ordinances or resolutions for the welfare and good government of said city ; and that all voting in the said council, by the members thereof, upon any by-laws, regulation, ordinance or resolution, or upon the election or removal of any officer, shall be *viva voce*.

Council to vote *viva voce*.

Mayor, election of.

SECTION 13. That the freemen of the city of Harrisburg, qualified to vote for members of the council of said city, shall meet in their several wards on the second Friday in April, Anno Domini one thousand eight hundred and sixty, and on the third Friday in March in each succeeding third year thereafter, and elect by ballot one person qualified to serve as a member of the Senate of this commonwealth, and who shall have been an inhabitant of said city for at least four years next preceding his election, to be mayor of the said city, for the term of three years, commencing on the Friday next following such election ;

Term of.

such election of mayor shall be holden at the same time and places, by the same officers and in the same manner as is herein provided for holding the election of members of council of the said city; the candidate having the highest number of votes polled shall be elected as such mayor, and when the election, to be had and held in pursuance of this section, shall be closed, and the number of votes for each candidate or person voted for shall be counted and ascertained, the persons herein authorized and required to hold and conduct such election, shall prepare and make, under their respective hands and seals, duplicate returns of all the votes given at such election, one of which shall, with the tally list, be deposited in one of the ballot boxes, and be sealed with the seals of the said officers, and delivered within twenty-four hours, from and after such election, to the nearest justice of the peace or alderman, within the respective wards, for safe-keeping, and the other be delivered to the president of the council of the said city, or for the first election under this act, the same shall be deposited with the nearest justice of the peace, and the other to the president of the town council of the said borough.

Manner of conducting elections

Returns and tally lists, relative to.

SECTION 14. That the said president of the town council of Harrisburg, or the president of the council of the said city, or the person acting as such, shall, at a meeting of the said town council of the borough of Harrisburg, or at a meeting of the council of the said city, on the Friday next following the said election, open and publish said returns, and cause the same to be entered on the journal of the town council of the said borough, or on the journal of the council of the said city; and some person duly qualified to administer oaths and affirmations, shall then and there administer the usual oath or affirmation to the person having the highest number of votes for mayor as aforesaid, who shall thenceforth enter upon and perform all the duties, and possess and enjoy all the powers and privileges appertaining to the office of mayor of said city, by virtue of any law of this commonwealth, or any ordinance, by-law, regulation or resolution of said city, for the term of three years as aforesaid, and until his successor shall have been duly elected and qualified; but if any election for mayor shall be contested, and there shall be from the returns received, or other competent testimony, to be judged of by the members present at such meeting, a reasonable doubt whether the person having the return has been duly elected, then the members of the council, in meeting as aforesaid, which they shall have power to adjourn from day to day, for the purpose of hearing and determining the matter, shall, within a reasonable time, not exceeding two weeks thereafter, decide upon such contested election, by a majority of the votes of the members of council present at such meeting; and if such return be confirmed, the person having it shall be forthwith qualified as aforesaid; and if such return be not confirmed, and the election be set aside, a special election shall be ordered to be holden by the citizens of the said city, within twenty days from and after the determination of said contested election, to elect a mayor thereof, which shall be conducted in the manner prescribed in the preceding section of this act; and the returns thereof being made as therein directed, on the third day next

Opening and publishing returns.

Qualification of mayor.

Contested election, relative to.

Special election for mayor, relative to.

following the same, shall be opened and published as is in this section hereinbefore prescribed; the person having the highest number of votes at such special election for mayor, shall be duly qualified to act as such for the remainder of the term for which he shall have been elected; and whenever the office of mayor shall become vacant by the refusal or omission to serve by any person elected as aforesaid, or by the death, resignation or removal from the said city, it shall be the duty of council, in meeting, as soon as conveniently may be after such vacancy shall happen, to elect a suitable person to serve as mayor aforesaid, who shall continue in office until the fourth Friday in March next succeeding such election, and until his successor shall have been duly elected and qualified.

Powers and jurisdictions of mayor

SECTION 15. That the mayor of said city shall generally have and exercise all such powers and jurisdictions, and perform all such duties as may be prescribed by the laws of this commonwealth, or the by-laws, ordinances, regulations and resolutions of the said city; and it shall be his duty, in the exercise of his jurisdiction, powers and duties, to see that the said by-laws, ordinances, regulations and resolutions shall be executed, and to be vigilant and active in causing the same to be duly enforced; also, to preserve the peace and promote good order within the said city, as well as to secure the comfort and happiness of the citizens thereof, and of all strangers and sojourners therein; the said mayor shall have jurisdiction, within and throughout the said city, of all actions, complaints and proceedings for fines, penalties, prosecutions and forfeitures imposed or enacted, or which may be hereafter imposed and enacted, by the laws of this commonwealth relative to the said city, and the by-laws, ordinances, regulations and resolutions of the said city, and for the prevention and punishment of offences, violations and neglects of duty as prescribed and provided for by the said by-laws, ordinances, regulations and resolutions, and to hear, try and determine the said actions, prosecutions, complaints and proceedings, as fully and in the same manner, and with the same rights and privileges, as any alderman of said city has by virtue of this act, or may hereafter have jurisdiction and power to exercise, do and perform, within the ward for which the said alderman may be appointed, and within and throughout the said city; the said mayor shall also have, hold and exercise criminal jurisdiction and power within and throughout the said city, as a justice of the peace of this commonwealth, and generally as a conservator of the peace, in respect to, concerning, and so far as regards all crimes, offences and breaches of the peace against the laws and statutes of this commonwealth, which may be done or committed, or threatened and intended to be done or committed, within the said city or elsewhere, as largely and fully, and in the same manner as the same jurisdiction and powers are or may be held and exercised by any justice of the peace of this commonwealth, within the district or ward for which he is or may be appointed; the said mayor shall receive the same fees for services rendered, in the exercise of his jurisdiction and powers, in all criminal cases and proceedings, and in all cases and proceedings under the laws and statutes of this commonwealth, as may be allowed to the aldermen, respectively, of the said city, and for services

Fees of, relative to.



rendered, in the exercise of his jurisdiction and powers, in cases and matters as directed and provided for by the ordinances and by-laws of the said city, the said mayor shall receive such fees and perquisites, or such compensation as shall be prescribed and provided for by the by-laws and ordinances of the said city; the said mayor shall have and keep a suitable apartment and office within the said city, for the exercise of his jurisdiction and powers, and the transaction of business relating thereto, the said apartment and said office to be furnished and provided by and at the expense of the said mayor, or as directed by the by-laws, ordinances, regulations and resolutions of the said city; the said mayor shall have and keep a docket, in which he shall enter and record, or cause to be entered and recorded, all acts, process, judgments, orders and proceedings by and before him, in all actions, prosecutions, complaints and proceedings before him as aforesaid, in the same manner as is required of the justices of the peace of this commonwealth, in their districts, respectively; the said docket of the said mayor, and the entries and records therein, and transcripts thereof, certified by the said mayor under his seal, shall be proved, and be competent evidence for all purposes, in the same manner as the docket entries, records and transcripts of the justices of the peace of this commonwealth are or may be required to be proved, and are or may be competent evidence.

Office for mayor

Docket of, relative to.

SECTION 16. That the aldermen of the said city shall severally, and within their respective wards, have and exercise jurisdiction of all actions, prosecutions, complaints and proceedings for fines, penalties or forfeitures imposed or enacted, or which may hereafter be imposed or enacted, by the laws of this commonwealth relating to the said city, or by the by-laws, ordinances, regulations and resolutions of the said city, for offences, acts, neglects, matters and things done or committed anywhere within the said city, and to hear, try and determine the said actions, prosecutions and complaints, in pursuance of the said laws, ordinances, regulations and resolutions, and in the manner prescribed and directed thereby. The said aldermen shall also severally have and exercise, within their respective wards, jurisdiction of all complaints, informations, prosecutions and proceedings for and relative to all crimes and offences, and breaches and sureties of the peace, of whatsoever nature, against the laws and statutes of this commonwealth, which may be done or committed, or threatened or intended to be done or committed, anywhere within the said city or elsewhere, as largely and fully, and in the same manner as the justices of the peace of this commonwealth severally have and exercise, or may hereafter have and exercise, within their respective districts; and the said aldermen shall have and exercise severally, or two or more jointly, jurisdiction of all actions, prosecutions, proceedings and cases of summary convictions for fines, penalties or forfeitures, imposed and enacted, or which may be hereafter imposed or enacted, by the laws and statutes of this commonwealth, with power to hear, try and determine the same, as largely and fully as the justices of the peace of this commonwealth can have and exercise, or may hereafter have and exercise severally, or two or more jointly, within their respective districts or counties.

Aldermen, jurisdiction of, &amp;c.

The said aldermen shall have the jurisdiction and powers generally of conservators of the peace within the said city; and the said aldermen shall have power to do and perform all the acts and duties which they may be required or authorized to do and perform by the by-laws, ordinances, regulations and resolutions of the said city.

Aldermen and  
police constables,  
fees of, &c.

SECTION 17. That the said aldermen and police constables shall severally receive for services rendered by them, in and concerning any actions, prosecutions, complaints and proceedings in pursuance of the by-laws, ordinances, regulations and resolutions of the said city, or in the name of the said city, and for the performance of any act and duty enjoined or authorized by the by-laws, ordinances, regulations and resolutions of the said city, such fees, perquisites or compensation as may be allowed by the by-laws, ordinances, regulations and resolutions of the said city; and the said aldermen, police constables and other constables in the said city, shall receive for any and all other services rendered, and acts, matters and things done and performed by them by virtue of their jurisdictions and powers respectively, and in pursuance of the laws and statutes of this commonwealth, such fees and perquisites as are allowed to aldermen and constables by the act of assembly, passed the twenty-eighth day of March, in the year one thousand eight hundred and fourteen, entitled "An Act establishing a fee bill," or as may be hereafter allowed to aldermen in the city of Philadelphia.

Prosecutions,  
complaints, &c.,  
for violation of  
ordinances and  
regulations, rela-  
tive to.

SECTION 18. That all actions, prosecutions, complaints and proceedings for violation of the by-laws, ordinances, regulations and resolutions of the said city, and for fines, penalties and forfeitures imposed or enacted thereby, which shall be brought before the mayor or any alderman or aldermen of the said city, respectively, shall be instituted in the corporate name of the said city; those which shall be so brought for violation of an offence against the laws of the commonwealth, relating to the said city, and for fines, penalties and forfeitures imposed and enacted thereby, shall be instituted in the name of the commonwealth, or as prescribed by the said laws of the commonwealth; and all other actions, prosecutions, complaints and proceedings so brought for fines, penalties or forfeitures imposed or enacted by the laws or statutes of this commonwealth, shall be instituted and conducted as provided by law; and all warrants, writs, orders and process in and concerning the said actions, prosecutions, complaints and proceedings, or in and concerning any criminal prosecutions, complaint, case or proceeding made and issued by the said mayor and aldermen respectively, shall be made, directed and issued to any of the police constables, or other constables of the said city, who shall respectively serve, obey and execute the same any where within the said city or county of Dauphin, or in any of the cities or counties of this state, under the provisions of the act of assembly of this commonwealth, passed the sixteenth day of April, one thousand eight hundred and twenty-seven, entitled "An Act concerning backing of warrants by justices of the peace," or the same may be issued and served and executed any where in the said city and county, by special constables or other persons, as provided by law.



SECTION 19. That it shall be the duty of every police constable of the said city, to serve, execute, obey and perform any where within the said city or county of Dauphin, all warrants, orders, writs and process, made or issued by the said mayor or any alderman of the said city, in pursuance of the aforesaid jurisdiction and powers of the said mayor or aldermen, and which may be directed, issued or delivered to the said police constables; and every such police constable shall have power so to do, and also to have authority as a conservator of the peace, to be exercised any where within the said city; and it shall be his or their duty to do and perform all acts and things which he or they may be required to do and perform, by the by-laws and ordinances of the said city.

Police constable,  
duty of.

SECTION 20. That if any person shall think himself aggrieved by any judgment against him as defendant, by the mayor or any alderman of the said city, in any action, prosecution or proceedings for any fine, penalty or forfeiture, imposed or enacted by or under any law or statute of this commonwealth, relative to the said city, or by or under any ordinance, by-law, resolution or regulation of the said city, such person may, if the said judgment shall exceed the sum of five dollars, exclusive of costs, appeal from the said judgment to the court of common pleas for the county of Dauphin: *Provided*, That such person shall enter into recognizance to the said city, with one or more sufficient sureties, whose sufficiency shall be approved of by the said mayor or alderman, before the said mayor or alderman, in a sum sufficient to cover the said judgment; and all costs that have accrued, or that may thereafter accrue in the said case, conditioned that such defendant shall prosecute his appeal with effect: *And provided*, That such appeal shall be taken, the recognizance entered into, and a certified transcript of the judgment and recognizance to be furnished by the said mayor or alderman, to the said defendant, on his demand therefor, shall be filed by the said defendant in the office of the prothonotary of the said court, within twenty days after the rendition of the said judgment. In case the said transcript shall not be so filed within the said time, the said mayor or alderman, shall proceed in the said case as if no such appeal had been taken; and in case of the forfeiture or breach of the condition of the said recognizance, the same shall be brought in the corporate name of the said city, and recovered in an action of debt thereon, in the same manner as debts on contract of like amount are sued and recovered by the laws of this commonwealth: *Provided further*, That the said mayor or alderman may issue process and execution on the said judgment, immediately on the rendition of the said judgment, and before the expiration of the aforesaid twenty days, unless an appeal shall at the time have been taken and the said recognizance entered into, the said process and execution to be stayed on the payment of the costs of said execution; on an appeal being taken and recognizance entered into and transcript filed as aforesaid, the proceedings on the said appeal, and on any judgment thereon in the said court, shall be by the said court, with like process, proceedings and writs of execution, as directed or authorized by the acts of assembly of this commonwealth: *And provided*, That in case of

Appeal from the  
judgment of  
mayor or alder-  
man, relative to.

Proviso.

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Proviso.

Proviso.

a judgment for the defendant, by the said mayor or alderman, in any such action or prosecution instituted in the name of the said city, for a fine, penalty or forfeiture greater than the sum of five dollars, the said city shall have the same right of appeal as the defendant, as aforesaid, under the same terms and conditions, except entering into recognizance as aforesaid.

Election and  
term of service of  
aldermen.

SECTION 21. That there shall be one alderman elected in each of the wards of the said city, to be chosen by the qualified voters in each ward, and commissioned for the same term of years, and in the same manner; and all vacancies in the offices of the said aldermen, to be supplied in the same manner as aldermen are elected under the act of assembly of this state, passed the twenty-first day of June, in the year one thousand eight hundred and thirty-nine, and the supplement or supplements thereto, and in pursuance of the provisions of this act. The said aldermen to give security, as provided in the said acts of assembly, and to be subject to the same liabilities and penalties, to be removed from office in the same manner, and to be entitled to the same powers, rights and privileges as aldermen, generally, under the laws and statutes of this commonwealth. The first election for aldermen aforesaid, shall be held in the respective wards, on the second Friday in April, A. D. 1860, and on the third Friday in March in every succeeding fifth year thereafter, to be held and conducted as is in this act provided for in respect to municipal elections: *Provided*, That the justices of the peace elected and commissioned within the corporate limits of the said city, at the passage of this act, shall hold and enjoy their offices, and perform all the duties pertaining thereto, until the times for which they were respectively elected and commissioned shall have expired: *Provided also*, That if any of the said justices shall be elected alderman for either of the said wards, at the first election for aldermen to be held under the provisions of this act, the commission of such justice, so elected, shall be thereby determined and ended.

Subject to.

Proviso.

Proviso.

Jurisdiction of  
aldermen in civil  
cases.

SECTION 22. That the aldermen of the said city shall have and exercise, within their respective wards, the same jurisdictions in all civil actions, cases, matters and proceedings, as justices of the peace of this commonwealth have and exercise, severally, or two or more of them jointly, within their several districts and counties; and the said aldermen shall proceed therein in like manner, and with the like powers and authorities, and under and subject to the like rules, regulations and restrictions, and with the like means, process and writs of execution as justices of the peace now may, or hereafter can have under the laws of this commonwealth, with the like right of appeal, by the party or parties aggrieved, from any judgment, order or decree of any such alderman or aldermen, to the court of common pleas of the county of Dauphin.

Constables, elec-  
tion of, &c.

SECTION 23. That on the second Friday in April, in the year one thousand eight hundred and sixty, and on the third Friday in March in each year thereafter, the qualified voters of the city of Harrisburg, in each ward, shall elect one constable; the said constable shall be qualified as the laws of this commonwealth require such officers to be, and shall, upon entering the requisite security, be appointed by the court of quarter sessions of

the county of Dauphin; and they shall be under and subject to the same legal penalties and provisions, and exercise all the powers, and do and perform all duties, that, by the usages and laws of this commonwealth, are enjoined upon such officers. All vacancies that may, from any cause, occur in the said office of constable, shall be filled by the court of quarter sessions of the said county of Dauphin: *Provided*, That the constables now elected for the borough of Harrisburg shall hold and enjoy their said offices, and perform all the duties respectively belonging to the said office, until their successors shall be elected and duly qualified under the provisions of this act.

Vacancies, how filled.

Proviso.

SECTION 24. That the qualified voters of the city of Harrisburg shall, on the second Friday in April, in the year one thousand eight hundred and sixty, and on the third Friday in March, in each and every year thereafter, elect one person for assessor in each ward in said city, who shall have and possess the qualifications of a member of the Senate; which several assessors, after their election, being duly qualified, shall do and perform, within their respective wards, all the duties that by the usages and laws of this commonwealth are now enjoined upon assessors and assistant assessors. After said election the county commissioners shall make out their precepts, and forward the same to the several assessors, as in other cases; that after the several assessors shall have taken an estimate of the real and personal estate of the inhabitants of the said city, they shall meet together and equalize their valuation, according to the best of their judgment, and after said valuation is finally settled, the city council shall levy and assess their city tax, according to or upon the valuation made by the city assessors, for county rates and levies; the assessors elected by the city, under this charter, shall be governed and regulated by the act of assembly of one thousand eight hundred and thirty-five, regulating township officers; there shall be no assistant assessors elected in the said city; so much of the aforesaid act as authorizes the election of assistant assessors is hereby repealed, so far as the same may apply to the city of Harrisburg; that the assessors, in making such assessment of property in the city of Harrisburg, shall assess all the property which is now by law subject to taxation for borough purposes, in the said borough of Harrisburg, and shall also assess for taxation, for city purposes, the real estate of all incorporated companies within the limits of the said city, except the real estate of the Pennsylvania railroad company, the Harrisburg and Lancaster railroad company, the Cumberland valley railroad company, the Reading railroad company, and the several cemeteries, together with the buildings thereon erected.

Assessors, election and duties of.

County commissioners, duty of.

Assessors to meet and equalize taxation.

Repeal.

Certain real estate exempt from taxation for city purposes.

SECTION 25. That the council, in meeting assembled, shall have power, at their first meeting after they shall have been elected and qualified, and yearly thereafter, to elect, *viva voce*, as many suitable persons as they shall deem necessary, to be collectors of taxes for the said city, who shall collect the taxes for the year for which they shall be appointed, and shall give such security for the faithful discharge of their duty, as the said council shall direct; and also one solicitor of the said corporation, if deemed necessary; one or more regulators of the

Council to elect certain officers.

streets, one or more street commissioners, one or more city police constables, a clerk of the market, and such other officers as they shall deem necessary for the proper execution of the by-laws and ordinances, and the carrying of the police regulations of the said city into effect, and shall have power, by by-laws or ordinances, to fix the compensation of all the said officers, and to prescribe their duties, and by resolution of the said council, at their will and pleasure, to dismiss and remove all or any of them, except the tax collectors.

Election for municipal officers, relative to.

SECTION 26. That the election for municipal officers, by the qualified voters of the said city, shall be held at the same time and places as is hereinafter provided for the holding of the general, special and municipal elections; the notice of every municipal election shall be given by the mayor, or by the president of the town council, or by the chief police constable of the said city, designating the officers to be elected, and the time and place of holding said election, the notice to be by advertisement in two newspapers published weekly in the said city, for not less than fifteen days prior to said election; the expenses of said advertising to be paid by the city; and the judges of election of the several wards, and the return judges, shall, respectively, make out certified returns of the votes given for such municipal officers, and shall deliver and deposit such returns in the same manner as is directed by law with respect to the votes given thereat for other officers, or as provided by this act. In case of the neglect or refusal to act, or of the death or absence from the county of the said mayor or chief police constable, the president of the city council shall give notice of the said election, as aforesaid: *Provided*, That the said president of the city council shall not be required to give more than ten days' notice of the time and place of holding such election as aforesaid.

Proviso.

Power to borrow money, relative to.

SECTION 27. That the said council assembled shall have power to borrow, for the use of the said city, any sum or sums of money which they shall deem necessary, and to issue certificates of loan for the amount so borrowed, to the person respectively lending the same; and the said certificates, signed by the mayor of the said city, and attested by the president of council, under the common seal of the said city, shall be binding and obligatory on the said corporation: *Provided*, That the sums of money so borrowed shall not in the whole exceed, at any one time, the sum of two hundred thousand dollars, for the re-payment of which the faith of the said city shall be pledged; and the faith of the borough of Harrisburg, and of the said city, shall continue pledged for the redemption and payment of the existing debt of the borough of Harrisburg; and the said council, in council assembled, shall have power to lay and collect taxes, within the limits of the said city, for the purpose of carrying into effect the by-laws, rules and ordinances of the said city, and for the re-payment of all loans, with the interest thereon, heretofore made for the use of the borough of Harrisburg, for the re-payment of which the faith of the said borough is now pledged, and for the re-payment of all loans, with the interest thereon, hereafter to be made for the use of the said city, for the re-payment of which the faith of the said city shall hereafter

Proviso.



be pledged: *Provided*, That the debt of the said city shall at no time exceed the sum of two hundred thousand dollars. And that the assessment of such taxes upon real and personal property within the limits of the said city, shall be made upon the valuation of property taken for the purposes of county rates and levies, and upon all other real and personal estate mentioned and referred to, or intended so to be, in the twenty-fourth section of this act: *Provided also*, That the taxes levied in any one year shall not exceed six mills on the dollar (the present rate of taxation of the borough of Harrisburg) upon such valuation; and the collectors of taxes appointed by the said councils, as hereinbefore provided, shall, on the delivery of the duplicates to them respectively, proceed to collect the amount of such duplicates from the persons therein respectively charged, and pay over the same when collected, without delay, to the city treasurer, taking his receipt therefor; and if any person shall neglect or refuse to make payment of the amount due by him for such tax, within sixty days from the time of demand made, the collector holding the duplicate wherein such tax shall be charged may proceed to levy such amount by distress and sale of the goods and chattels of such delinquents, giving ten days' public notice of such sale by written or printed advertisements; and in case goods and chattels sufficient to satisfy the same, with the costs, cannot be found, such collector shall be exonerated from said tax: *Provided further*, That such collector shall have faithfully discharged his duty in endeavoring to collect said tax, and shall have made timely, diligent and honest efforts to collect the same.

Proviso.

Proviso.

Proviso.

SECTION 28. That the mayor and aldermen, or any of them, shall and may take and receive the acknowledgment and probate of all deeds, conveyances, mortgages or other instruments of writing, touching or concerning any lands, tenements or hereditaments, situate, lying and being in any part of this state or elsewhere; and also shall and may take and receive the separate examination of any *feme covert*, touching or concerning her right of dower, or the conveyance of her estate, or right in or to any such lands, tenements and hereditaments; and also shall and may take and receive the acknowledgment and probate of any instrument of writing, to the recording of which probate or acknowledgment is rendered necessary by the recording acts of this state, as fully, to all intents and purposes whatsoever, as any judge of the supreme court, or president or associate judge of any of the courts of common pleas within this commonwealth, can or may take and receive the same; and they, the said mayor and aldermen, or any of them, so taking and receiving such acknowledgment and probates, or examinations as aforesaid, shall and may receive such legal fees therefor as may be provided by the laws of this commonwealth.

Mayor or aldermen may take acknowledgments of deeds, &amp;c.

SECTION 29. That it shall be lawful for any constable or constables of the said city, to whom any warrant, under the hand and seal of the said mayor or aldermen, or any of them, shall be delivered, commanding him or them to take any person or persons who shall have been charged with having committed any offence within the said city, and to bring him, her or them before the said mayor or aldermen, or any of them; and he or

Powers and duties of constables

they are hereby enjoined and required to execute the same by making the arrest, if the same can be done at any place within the county of Dauphin, or in any of the cities or counties of this commonwealth, under the provisions of the act of assembly of said commonwealth, passed the sixteenth day of April, one thousand eight hundred and twenty-seven, entitled "An Act concerning the backing of warrants by justices of the peace," and also by bringing such offender or offenders before the said mayor or aldermen, or some of them.

Power of mayor and aldermen in certain cases.

SECTION 30. That it shall and may be lawful for the said mayor and alderman, or any of them, before whom any complaint, matter or thing of a criminal or civil nature, within his or their jurisdiction, shall be made or depending, to issue their subpoena, in common form, to any person or persons within this commonwealth, commanding him or them to appear and give evidence therein; and every person to whom the same shall be directed, and on whom service thereof shall be duly made, shall attend accordingly, and give evidence, under such pains and penalties as are by law incurred by any person or persons refusing to attend and give evidence before any aldermen, justice of the peace or courts of this commonwealth, when duly subpoenaed for that purpose.

Duty of keeper of the Dauphin county prison.

SECTION 31. That the keeper of the Dauphin county prison is hereby enjoined and required to receive and keep in safe custody, in the prison of said county, at the expense of the said county, until legally discharged therefrom, any person or persons who may be committed by virtue of lawful process, issued by the mayor or any alderman or aldermen of the said city, in the manner and under the same penalties as if he, she or they had been committed by the court of quarter sessions of Dauphin county, or any judge thereof; and all neglect of duty or wilful misbehaviour in said keeper of said prison toward such prisoners, or any of them, shall be and the same is hereby made cognizable and punishable as a like neglect of duty or a like wilful misbehaviour in said keeper of said prison towards prisoners committed by any justice of the peace, or by the said court of quarter sessions, or any judge thereof, of the said county, is or would be cognizable and punishable.

Election of city treasurer.

SECTION 32. That the inhabitants of said city qualified to vote for mayor, may, at the times and places, and in the same manner they elect the mayor of the said city, elect a city treasurer, to serve for two years from the fourth Friday in April, one thousand eight hundred and sixty, and from the fourth Friday in March in each and every succeeding second year thereafter, and until another person be duly elected and qualified to serve in his stead; and the said treasurer shall give security, by bond, with two or more sufficient sureties, for the faithful discharge of the duties of his office, for the payment over of all moneys remaining in his hands, in his official capacity, at the expiration of his term of office, and the delivery of all books and papers in his hands belonging to the said office to his successor in office; and the said bond shall be taken in the name of the city of Harrisburg, and shall be docketed and filed of record in the office of the prothonotary of the court of common pleas of the said county of Dauphin, and when so entered, shall be a lien against



the real estate of said treasurer and his sureties; and may also, **Auditors.** at the same time and place, and in the same manner, elect three reputable persons as auditors, for two years, to audit the accounts of the treasurer of the said city.

SECTION 33. That Charles F. Muench, William Colder, junior, **Commissioners.** A. Boyd Hamilton, Henry Peffer, John H. Briggs, George W. **duty of.** Harris and Rudolph F. Kelker, of Harrisburg, and David Herr, of Susquehanna township, are hereby appointed commissioners, to do and perform the duties herein specified; and in case of the death, removal or refusal of either of them to serve, such vacancy shall be filled by the council of said city; said commissioners are hereby authorized, and by and with the consent of the said mayor and council, to select and employ competent engineers, surveyors or draughtsmen, who, under the direction of the said commissioners, shall execute a survey and plan of all lands embraced within the limits of said city, designating thereon the avenues, streets, lanes and alleys now existing and opened, also such tracts, pieces or parcels of land through which no avenues, streets, lanes and alleys have been located. When said draft is completed, it shall be the further duty of said com- **Further duties.** missioners, or a majority of them, to complete said plan, by designating where new avenues, streets, lanes and alleys shall hereafter be opened. The said avenues, streets, lanes and alleys shall be laid out by the said commissioners, in such manner as to conform, as nearly as possible, in their courses and distances, with the courses and distances of the present existing avenues, streets, lanes and alleys of the borough of Harrisburg, and the villages of West Harrisburg, Paxton, Fairhill, and those laid out by the Harrisburg building association, and to make a plot or draft thereof, showing the courses, distances and width of the avenues, streets, lanes and alleys so as aforesaid laid out by the said commissioners, and make report of the same, together with a plot or draft thereof, signed by the said commissioners, or a majority of them, to the court of quarter sessions of the county of Dauphin, and the same being approved of by the said court, the same shall be recorded in the recorder's office at Harrisburg; and the said avenues, streets, lanes and alleys so laid out by the said commissioners, shall, when thus approved of by the said court, be deemed, taken and allowed to be public streets, lanes or alleys of the said city of Harrisburg, and to be hereafter opened, as is hereinafter directed by the provisions of this act; the said commissioners, or a majority of them, may **Reservoirs or basins, relative to.** designate, within the limits of the said city, a plot, piece or parcel of ground, containing not less than twenty acres, to be for the use of the public and of the said city, upon which plot, piece or parcel of ground, reservoirs or basins for holding water, or other necessary buildings and works, for the use of the said city and its inhabitants, may be hereafter erected; said plot, piece or parcel of ground to be appropriated, taken and occupied, and the damages to be ascertained and adjusted, as in this act provided for the opening of avenues, streets, lanes and alleys within the said city: *Provided*, That the damages for the said **Provide.** plot, piece or parcel of ground shall be paid by the city of Harrisburg.

Commissioners to receive no compensation.

SECTION 34. That the said commissioners shall receive no compensation for their services, except the necessary expenses for stationery and carriage hire; they may be allowed the time necessary (not exceeding two years) to fulfil and complete the duties assigned to them by this act, and are hereby authorized, by and with the consent of the mayor and council, to fix the number and compensation of their employees, and the amounts to be respectively paid to such employees for their services, whilst actually employed in the discharge of their several and respective duties; such compensation to be paid to such employees respectively, upon certificates signed by said commissioners, or a majority of them; when countersigned and approved by the said mayor, said certificates shall be paid by the treasurer of the said city, out of any moneys in his hands belonging to the said city, and not otherwise specifically appropriated, which certificates shall be proper vouchers for such treasurer, and be allowed as credits to the said treasurers in the settlement of their respective accounts; the said commissioners to use, occupy and enjoy the council chamber of the said city as their office, which shall be furnished by the said council, with the proper and necessary accommodations for the use of the said commissioners, their engineers, surveyors and draughtsmen.

Compensation of employees, how fixed and paid.

Opening, grading and curbing of streets, alleys, &c.

SECTION 35. That at any time hereafter, when the necessities of the said city, and the increase of the population thereof, shall require the same to be done, the council of the said city, by an ordinance or ordinances passed by the said council, and approved of by the said mayor, may direct such or so many of the said avenues, streets, lanes and alleys to be opened, graded and curbed, as the said council for the time being may deem necessary to accommodate the desire for improvement and building thereon, by the inhabitants of the said city, or by other persons; and after the said avenues, streets, lanes and alleys shall be thus ordered to be opened, graded and curbed, the said court shall, upon the application by petition, presented in open court by the mayor of the said city, or by the president of said council, or by the owner or owners of the lands, occupied and taken for the said avenues, streets, lanes and alleys so as aforesaid ordered to be opened, curbed and graded, appoint six discreet and disinterested freeholders, residents of the said city of Harrisburg, or of the said county of Dauphin, who being first duly sworn or affirmed according to law, shall inquire what damage the owner or owners of the said lands, houses or other buildings shall or may sustain, by reason of the same being injured, taken, used and occupied for the purposes aforesaid: *Provided*, That in assessing said damages, no compensation shall be made or allowed by the said freeholders, to any person or persons for houses or other buildings, erected or built by any person or persons on any of the avenues, streets, lanes and alleys of the said city, from and after the said avenues, streets, lanes and alleys shall have been designated and laid out by the said commissioners or a majority of them: *Provided also*, That it shall also be the duty of the said freeholders, in assessing such damages, to take into consideration the advantages which have accrued, or may thereafter accrue, to the owner or owners of such lands, houses or other buildings erected thereon, before the designation

Damages, relative to.

Proviso.

Proviso.

thereof by the said commissioners as aforesaid, by reason of the opening, grading and curbing of the said avenues, streets, lanes and alleys, and of the avenues, streets, lanes and alleys adjoining thereto, or connected therewith; and if any five of the said freeholders, being first duly sworn or affirmed, view the said premises, they or any four of the said freeholders may make report of their proceedings thereon to the said court: *And provided further*, That before such avenues, streets, lanes and alleys shall be opened, used and occupied, in pursuance of the ordinance or ordinances of the said council, compensation shall be made to the owner or owners of such property, or adequate security given therefor, before said avenues, street, lanes and alleys shall be opened, graded and curbed. Proviso.

SECTION 36. That upon the return of the valuation and assessment of damages as aforesaid, for lands, houses or other buildings injured, or so as aforesaid opened, taken, used and occupied for any of the public avenues, streets, lanes and alleys within the said city, and the same having been approved of by the court of quarter sessions of the said county of Dauphin, the amount of damages, so awarded and approved by the said court, shall be paid within six months from and after the same shall have been so approved by the said court, by the county of Dauphin, or secured to be paid thereafter by the said county, to the satisfaction of said owner or owners: *Provided*, That unless the said damages shall be paid within one year next from and after the confirmation, by the said court, of the report made by the said freeholders, or secured to be paid as provided in this section, the said owner or owners may proceed to collect the same as judgments are now collected under the laws of this commonwealth, by execution or executions issued thereon against the said county of Dauphin. Damages, when to be paid.  
Proviso.

SECTION 37. That all general, special and municipal elections, by the qualified voters of the said city, except elections for military officers, shall be held in their respective wards as follows, to wit: 'The election for the First ward shall be held at the public school house at the corner of Mary's alley and Front street; the election for the Second ward shall be held at the court house, on Market street, at the place where the elections for the South ward are now held; the election for the Third ward shall be held at the court house, on Market street, at the place where the elections for the West ward are now held; the election for the Fourth ward shall be held at the public school house in State street, between Second and Third streets; the elections for the Fifth ward shall be held at the house belonging to General John Forster, on the state road leading from the reservoir grounds to the state road leading from the Susquehanna river to the Pennsylvania State Lunatic hospital; and the elections for the Sixth ward shall be held at the school house in West Harrisburg: *Provided*, That the places of holding the election, designated in this section, for the Second and Third wards, in case of the pulling down of the present court house, and until another be erected, shall be held at the following places, to wit: for the Second ward, at the western window of Herr's hotel, on Market street, and for the Third ward at the school house in Walnut street, between Second and Front streets, in said city. Elections, where to be held.  
Proviso.

Elections, where held.

SECTION 38. That the general, special, municipal and all other elections, by the qualified voters of the said city of Harrisburg, under the provisions of this act, the laws of this commonwealth and the ordinances of the said city, except military elections, shall be held at the same place in the respective wards of the said city, as is provided for in the next preceding section of this act; the said elections to be held and conducted by the same judges, inspectors and clerks, as is hereinbefore provided for the election of members of the common council; said elections to be conducted in the same way and manner, in all respects, as is or shall be directed by the laws relating to the general elections of this commonwealth; the county commissioners of the said county of Dauphin, shall have the respective places, appointed for holding such elections, put in convenient and proper order for holding and conducting the same, and shall furnish to the election officers of each ward, a list of all the taxables of such ward; also the necessary blanks and stationery for all such general and special elections; in all general and special elections within the said city, each ward thereof shall be an election district, and have a return judge; and in such elections, the return judges shall meet at the court house in the said city, as is now by law provided for the meeting of the return judges of election for the county of Dauphin.

By whom conducted.

Duty of county commissioners.

Width of streets, lanes and alleys.

SECTION 39. That the several streets, lanes and alleys now existing and being within the said city, shall be of the width laid out originally by the proprietors of the ground, or according to law, as they have been heretofore established and recorded for the borough of Harrisburg, namely: Paxton street, Second street and Market street, shall each be eighty feet wide; Meadow lane, from Second to Market street, shall be thirty-three feet wide; Vine street, forty feet wide; Front street, extended below Paxton street, forty-five feet wide; Mulberry street, Chestnut street, Walnut street, Locust street, Pine street, Third street, to Meadow lane, Fifth street, Sixth street, High street, in the rear of the arsenal, and Short street, shall each be fifty-two and a-half feet wide; State street, in front and rear of the capitol, one hundred and twenty feet wide; High or Fourth street, in the rear of the capitol, North street, Spruce and Filbert street, each sixty feet wide; Canal street, below North street, including the twenty feet given to public use by lot holders, to be fifty-three feet wide; South street, in the rear of the public grounds, forty feet and six inches at High street, and thirty-eight feet at Poplar lane; South street, in front of the public grounds, Third street, from South to North street, each sixty feet wide; the streets on the east, north and west of the reservoir grounds, shall be forty feet wide; Third street, extending from North street to the road from Hammon's to the canal, shall be sixty feet wide; Washington avenue, from Second to Front street, fifty-five feet wide; Liberty street, thirty feet wide; Myrtle alley, Willow alley, Spring alley, Church alley, Chestnut alley, Cedar alley, Buttonwood alley, West alley, Poplar lane, Tanner's lane, Barbara alley, Cranberry alley, Strawberry alley, Blackberry alley, Cherry alley, Mary's alley, River alley, Raspberry alley, Dewberry alley, Huckleberry alley, Love lane, and the alleys from Fourth street and from Market street, to the



English and German burying grounds, each twenty feet wide ; North alley, seventeen feet wide, and South alley fourteen feet wide ; Canal street, from Market to Walnut, shall be feet wide.

SECTION 40. That Water street, running from the west end of State street to the water house, and thence extending up the river the several courses and distances as laid down upon the draft on file in the office of the court of quarter sessions of the county of Dauphin, to intersect Second street, shall be thirty-three feet wide ; and that the corporation may occupy so much of said street as is necessary for the erection of their wharf to lay their coal upon, to carry on the water works for the supplying the city with water, without being amenable as trespassers for obstructing any part of said street.

Water street,  
relative to.

SECTION 41. That from and after the passage of this act, the supervisors or commissioners of streets and council of the city of Harrisburg, shall be amenable for any gross neglect of duty in permitting the by-laws and ordinances of the said city to be violated or neglected, or by suffering the avenues, streets, lanes and alleys within the said city to be obstructed in any way or manner, by neglecting to cause any filth or nuisance to be removed, which is injurious to the health of the city or the comfort of its inhabitants ; for any of the aforesaid neglects or violations of duty, the said supervisors, commissioners of streets or council may be proceeded against by information and indictment ; and upon conviction before the court of quarter sessions of the peace of the said county of Dauphin, they, or either of them, shall be individually fined, at the discretion of the said court.

Sanitary regula-  
tions, relative to.

SECTION 42. That the corporation of the city of Harrisburg are hereby authorized to straighten Paxton creek, wherever the same may be necessary within the boundary lines of the said city and Swatara township, and also to change the bed of the said stream wherever it may become necessary to accomplish the desired object of removing all obstructions in said creek, so that no stagnant water will remain in the said creek or its immediate vicinity.

Paxton creek  
authorized to be  
straightened.

SECTION 43. That all persons who may feel themselves aggrieved or in any way damaged by the straightening or changing of the bed of Paxton creek, shall or may apply to the court of quarter sessions of the county of Dauphin, and have their damages valued and assessed, as is provided for in the preceding sections of this act, relating to the opening, grading and curbing of streets, lanes and alleys within the said city, and the damages, if any, to be paid by the county of Dauphin.

Damages by  
straightening,  
relative to.

SECTION 44. That immediately after the passage of this act, the council of the said city shall take measures to carry out all the necessary provisions contained in this act, for the benefit and interest of the inhabitants of the said city.

Council to carry  
out provisions of  
this act.

SECTION 45. That the mayor of the said city shall appoint some proper person to attend his office, and act as a police constable throughout the bounds of the city, who shall be styled and known as the chief police constable of the said city, and be authorized to arrest all vagrants and disorderly persons, and bring them before the mayor of the said city, or in his absence

Police constable,  
duties of.

or inability to act, from sickness or any other cause, he shall in that case take the said offenders before any of the aldermen of the said city, to be dealt with according to law, and to execute and serve all process issued by the mayor or aldermen of the said city; and on all extraordinary occasions, when imperious necessity requires, the said mayor shall be authorized to appoint so many police officers as the emergency of the case may require, whose fees for services shall be the same as constables; and in case of disobedience or neglect of duty, or when the said emergency has passed or ceased to exist, the mayor shall have power, and he is hereby authorized, to dismiss such special police officer, or any of them.

Acts of assembly  
now in force, rela-  
tive to.

SECTION 46. That all acts of assembly now in force, touching or concerning the borough of Harrisburg, and all the by-laws and ordinances of the said borough of Harrisburg, not being inconsistent with the provisions of this act, shall be and remain in full force and virtue, in the said city, until the same shall be re-enacted, repealed, altered or supplied by other acts of assembly, or by the by-laws or ordinances enacted under the authority hereby given to the council of the said city.

Incompatibility.

SECTION 47. That no alderman of the said city, or any person holding an office of trust or profit under the by-laws or ordinances of the said city, the emoluments whereof are paid out of the treasury of said city, shall be competent to serve as a member of the council.

Officers to hold  
the first election,  
relative to.

SECTION 48. That for the purpose of holding the first election, to be held on the second Friday of April next, for municipal officers of the said city, the judges and inspectors thereof shall be chosen at the time and places fixed for said election, by the qualified voters of the said wards present at the said time, and at the several places named in this act in the respective wards; at which election the qualified citizens of the said wards shall elect judges and inspectors of elections for their several and respective wards, to hold the next general and presidential elections in their said wards, in the manner now provided by law for the election of judges and inspectors of such elections.

Lock-up or watch  
house.

SECTION 49. That the said council shall rent, until they can provide for, erect or purchase, a lock-up or watch house in some convenient part of the said city, for the detainer and confining of vagrants and persons arrested by the police officers, until the persons so arrested can be taken before the mayor or some proper magistrate for hearing, and committed to prison or discharged; but no person shall be detained in the said watch house for a longer time than twenty-four hours, except upon the order of the mayor, or a magistrate legally authorized, who may commit such person for further hearing.

Removal of  
mayor.

SECTION 50. That each and every mayor and alderman of the said city, who shall be guilty of a misdemeanor in office, shall be liable to be removed from office in the same manner that justices of the peace are, by the constitution and laws of this commonwealth, removable for misconduct in office.

Penalty for re-  
fusing to perform  
duties of office.

SECTION 51. That all persons elected or appointed under the authority of this act, shall, in addition to the usual oath of office, be sworn to support the constitution of the United States and of this state; and any person so elected or appointed, who



shall refuse to take upon himself the duties of such office, shall forfeit and pay the sum of fifty dollars, to be recovered as debts under one hundred dollars are by law recoverable, unless the fine shall be remitted by the mayor of said city, who is hereby authorized to remit the same on sufficient cause shown, or by the council, who are hereby authorized, on sufficient cause shown, to remit the said fine, in case of the refusal to act of the person elected to serve as mayor.

SECTION 52. That all property and estates whatsoever, real, personal and mixed, of the borough of Harrisburg, are hereby severally and respectively transferred to and vested in the corporation or body politic of the city of Harrisburg, and their successors; the said city to have and to hold the same, to and for the use and benefit of the said city, and its citizens or inhabitants forever; and until the corporation of the said city shall be duly organized under this act, the present charter of the borough of Harrisburg shall continue in full force and operation; and all persons now holding offices under the said charter shall hold their offices as they now may or can do by law, until the officers provided for in this act are duly elected and qualified under the provisions of this act; and as soon as this act shall go into operation, all suits, prosecutions, debts and claims whatsoever, to which the said borough shall be a party, shall, by force thereof, become transferred to the said city, which, in all suits now pending, shall be substituted as party therein, and be under the management and control thereof, as fully and completely as if no alteration had been made in the said charter; and all contracts, claims and demands of whatsoever nature, now existing, and whether the same be performable or payable, presently or in future, by the said borough of Harrisburg, shall, by force and virtue of this act, be fulfilled by, and be recoverable from, or payable by the city of Harrisburg.

SECTION 53. That the said council shall, once in every year, cause to be published, in one or more of the newspapers printed in the said city, a just and true account of all the moneys which shall have accrued to them in their corporate capacity during the year preceding such publication, and also of the disposition thereof, exhibiting the amount of taxes levied and assessed on all taxable property, and on all persons, for water rents, together with the rents of the market houses and stalls on the streets, and all other revenues of the said city; also exhibiting all outstanding taxes and revenues of every kind; also the credits for all exonerations of taxes which could not be collected, the amount of per centage paid for collecting taxes and water rents, and all other revenue of the said city, together with all the expenses of the city, all outstanding debts due by the said city, including the permanent or funded debt of the said city.

SECTION 54. That nothing in this act contained shall be taken, deemed, held or construed so as to affect the school districts at present existing in the borough of Harrisburg, but the same shall be and remain as now established by law: *Provided*, That all the territory included within the First and Second wards of the said city shall constitute the school district now designated and known as the South ward school district, and all the other territory of the said city shall be included in what is now the North

Borough property, relative to.

Statement of financial affairs to be published annually.

School districts to remain as heretofore.

Proviso.

ward school district of the borough of Harrisburg, until otherwise arranged and altered by law.

Construction,  
relative to.

Proviso.

SECTION 55. That as often as any doubts shall arise touching the construction of this act, the same shall, in all courts of law and equity and elsewhere, be construed and taken most favorably for the said corporation: *Provided*, That this act, and the powers and authorities herein vested in the said city, shall not be impaired, affected, defeated or destroyed by any neglect or omission to appoint all or any of its officers at the time or times appointed for electing or appointing the said officers; and in case of any such neglect or omission, the mayor and alderman of the said city, or a majority of them, shall forthwith take all necessary measures to cure and supply all such defects and omissions, giving due notice thereof in the public newspapers of the said city: *And provided further*, That all acts or parts of acts relating to the borough of Harrisburg, which are altered or supplied by the provisions of this act, are hereby repealed.

Proviso.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The nineteenth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 191.

## SUPPLEMENT

To an act authorizing the laying out of a State Road from Pottstown to West Chester.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That so much of the act of assembly, entitled "An Act authorizing the laying out a state road from the borough of Allentown, Lehigh county, to the borough of Pottstown, Montgomery county, and from thence to West Chester, in Chester county," approved the sixteenth day of March, Anno Domini one thousand eight hundred and thirty-nine, and so much of any and every other act of assembly as may be held, deemed or taken to authorize or to have authorized the laying out and opening of the said state road through the township of Uwchlan, in the county of Chester aforesaid, to a greater width than thirty-three feet, be and the same hereby is repealed; and that so much of the state road aforesaid, as is located or included in said township of

Uwchlan, be and the same hereby is fixed at and limited to the width of thirty-three feet; and that the road through said township over and upon said state road was laid, and which has since been kept in repair by said township, (known as the "state road,") shall be held, deemed and taken to be the state road laid out through said township, by the commissioners, in accordance with the provisions of the act of one thousand eight hundred and thirty-nine, aforesaid.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twentieth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 192.

## A N A C T

To lay out a State Road from Wernersville, in Berks county, to William Hershey's farm, in Lancaster county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Samuel Eberle, of Lancaster county, Andrew Kurr and John Bush, of Berks county, be and the same are hereby appointed commissioners to view, lay out and mark a state road from John Moore's house, in Berks county, thence by the best route to William Hershey's farm, in Lancaster county. Commissioners.

SECTION 2. That it shall be the duty of said commissioners, or a majority of them, after taken and subscribing an oath or affirmation before a justice of the peace, to perform the duties enjoined upon them by this act with fidelity and impartiality, to carefully view the ground on which the said road may pass, and lay out and mark the same upon the ground on the route agreed upon by them for the road aforesaid, in such manner as to enable the supervisors readily to find the same; and for the purpose of fulfilling the duties in this act enjoined, the said commissioners, or a majority of them, are hereby enjoined to employ one surveyor at a per diem allowance not exceeding three dollars, two chain carriers at a per diem allowance not exceeding one dollar and fifty cents each, and the said commissioners, respectively, shall receive a per diem allowance not exceeding two dollars and fifty cents for each day necessarily employed in the discharge of the duties enjoined by this act, which shall be paid Duty of commissioners.

To employ a surveyor and chain carrier.

Compensation.

How paid. by the treasurers of the counties through which the road may be laid out, upon the rendition of the accounts of said commissioners, in proportion to the time employed in each county.

Drafts, when and where deposited. SECTION 3. That it shall be the duty of said commissioners to make out two fair and accurate drafts of the location of said road, respectively noting the courses and distances as they occur, with such other matters as may serve for explanation, one copy whereof to be deposited in the office of the clerk of the court of quarter sessions in the respective counties through which the road may pass, on or before the first day of June next; and from thenceforth the said road shall be a public highway, and shall be opened to a width of thirty feet, and at a grade of three degrees, if practicable, and not to exceed four degrees from a horizontal plane, and be repaired as all other roads laid out by the courts are made and repaired.

Vacancies, how filled. SECTION 4. That the said commissioners shall proceed, as soon as practicable, to complete the location of the said road; and if any vacancy occur in their number by death, resignation or otherwise, the same shall be supplied by the remaining commissioner or commissioners selecting suitable person or persons to constitute a board of at least three members.

Duty of supervisors. SECTION 5. That it shall be the duty of the supervisors of the several townships through which the said road shall pass, upon notice given, to proceed to open and make said road, under the same provisions as if the said road had been laid out by the respective courts of quarter sessions.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twentieth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 193.

## A SUPPLEMENT

To the act to incorporate the Penn Mutual Life Insurance Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Penn mutual life insurance company be and are hereby authorized to take and hold the title, in fee simple, to a certain messuage and lot of ground, situate on the north side of Chestnut street, between Ninth and Tenth streets, in the city of Philadelphia, containing in front on Chestnut street forty-eight feet*

Authorized to hold certain lot of ground.

one and a half inches, more or less, and extending in depth northward two hundred and twenty-two feet, more or less, to a forty feet wide court; and also at any time to grant, sell and convey the same, or any part thereof, in fee simple.

SECTION 2. That all powers, rights and privileges heretofore given to, conferred upon, and now exercised by the Pennsylvania company for insurances on lives and granting annuities, as to the receipt, custody and payment of trust moneys, the acceptance and execution of trusts in the capacity of assignee, trustee, guardian, executor, administrator or committee of lunatics, be and the same are hereby given to and conferred upon the said the Penn mutual life insurance company, to be exercised as fully in all respects as the same are now held and exercised by the said the Pennsylvania company for insurances on lives and granting annuities; subject, however, to all the restrictions and provisions of the several acts of assembly conferring said powers, in regard to the rate of interest to be paid to depositors, and the investments of trust funds.

Certain rights  
and privileges  
granted to

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twentieth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 194.

## AN ACT

For the repeal of certain acts in reference to Hawkers and Pedlers in the county of Washington.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the act of twenty-seventh of February, A. D. one thousand eight hundred and fifty-eight, and the act of sixteenth of February, one thousand eight hundred and sixty, so far as they relate to hawkers and pedlers in the county of Washington, be and the same are hereby repealed.*

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twentieth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 195.

## A N A C T

Changing the time for declaring the Dividends of the Green Lane and Goshenhoppen Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* from the passage of this act, it shall be lawful for the Green Lane and Goshenhoppen turnpike road company to declare dividends on the third Monday of January in every year, instead of the first Monday of March, as the day now fixed by law.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twentieth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 196.

## A N A C T

To confirm certain Deeds.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* whenever any deed of conveyance or other instrument of writing has been heretofore executed or acknowledged, or both, under any power sufficiently authorizing the same, which power shall have been recited in said deed or other instrument, shall have been informally executed by an attorney, in his own name, reciting his authority, instead of being executed in the name of the principal or principals, such deed or instrument shall be taken to be of the same validity and effect as if executed in the name and behalf of the principal or principals, as a party or



parties thereunto: *Provided*, That no case heretofore decided judicially shall be affected by this act.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twentieth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 197.

## AN ACT

Authorizing the qualified Voters of the township of Chestnut Hill, in the county of Monroe, and Steward township, Fayette county, to elect two additional Supervisors.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That it shall be lawful for the qualified voters of the township of Chestnut Hill, in the county of Monroe, and Steward township, Fayette county, annually to elect four supervisors of roads and highways for said township, at the same time and place now fixed by law for the election of supervisors.*

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twentieth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 198.

## AN ACT

Authorizing the maintenance of a certain Dam across Clearfield creek, in the county of Clearfield.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Charles J. Pusey and Joseph Pusey, or either of them, and their heirs and assigns, be and they are hereby authorized to maintain and keep up their dam across Clearfield creek, in the county of Clearfield, where the same is now built, and to raise the water of Clearfield creek five feet above ordinary low water, for the purposes of a grist mill and saw mill, and such other purposes as may be necessary; and also to erect and build a pier of stone, wood or other material in said dam or creek: *Provided, That* said dam and pier shall not obstruct the navigation of said creek with rafts and arks, and the water shall not be swelled on private property without the owner's consent.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twentieth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 199.

## SUPPLEMENT

To the act to incorporate the Pittsburg and Birmingham Passenger Railroad Company, approved the thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the Pittsburg and Birmingham Passenger railroad company be and is hereby authorized and empowered to extend their railway, by single or double track, with the necessary turnouts, sidings and switches, from the present terminus thereof, at the intersec-

tion of Fifth and Smithfield streets, in the city of Pittsburg, along Fifth street to Union street; and also from the terminus aforesaid, along Smithfield street to Seventh street; thence along Seventh street to Grant street, and thence along Grant street to Liberty street, subject to the provisions, conditions and restrictions contained in the ordinance enacted by the councils of the city of Pittsburg, granting the right of way to said company; and also to lay out and construct a railway, with single or double track, with the necessary turnouts, sidings and switches, along any of the streets in the boroughs of South Pittsburg, Birmingham and East Birmingham, and Brownstown, running parallel with Carson street, with the right of connecting the said railway with the track now laid on Carson street, by and through any street in either of said boroughs, or Brownstown, by single or double track, subject to the provisions, conditions and restrictions contained in the ordinances enacted by the councils of the said boroughs, granting the right of way to the said company: *Provided*, That the said company shall not have the right to use or occupy any street, under the provisions of this act, without the consent of the councils of the city or boroughs in which such street may be located.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twentieth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 200.

## A N A C T

Authorizing the Court of Common Pleas of Lawrence county to open certain Judgments.

WHEREAS, Certain judgments were recovered and entered in the court of common pleas of Lawrence county, namely: number one hundred and six, of September term, Anno Domini one thousand eight hundred and fifty-eight, wherein Delwin Parish, William Parish and William Wharton, junior, executors of Rodman Wharton, deceased, are plaintiffs, and the New Castle gaslight company is defendant; and number one hundred and seven of the same term, wherein Susanna D. Wharton is plaintiff and the New Castle gaslight company is defendant:

*And whereas*, The defendant and its stockholders allege that the said judgments are contrary to justice and equity:

*And whereas,* The facts involved in said allegation, and set forth in the petition of the said stockholders, are such as can only be determined by a jury of the county; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the court aforesaid is hereby authorized to hear the statements and allegations of the parties concerned; and if, in the opinion of the said court, the cause of justice will be promoted by a new trial, the said court is hereby authorized to open the said judgments, stay all proceedings thereon, and grant a new trial, to try the alleged facts before a jury of said county: *Provided nevertheless,* That the said judgments shall remain liens as security to the said plaintiffs, for whatever sums should be found due to them, should the determination of the said issues be in their favors: *And provided also,* That all costs heretofore incurred shall be paid by the said defendant.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twentieth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 201.

## AN ACT

To confirm the action of the Commissioners of Juniata county in borrowing money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the action of the commissioners of the county of Juniata, in borrowing about three hundred and fifty dollars for the use of said county, in the year one thousand eight hundred and fifty-seven, be and the same is hereby confirmed and made valid; and that the said commissioners are hereby authorized to draw their warrant on the treasurer of said county for the above amount, with the interest that may have accrued on the same.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twentieth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 202.

## A N A C T

To enable the county of Beaver to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the commissioners of the county of Beaver are hereby authorized to borrow any sum of money, not exceeding fifty thousand dollars, on the faith of the said county, to pay debts of the county, and to bind the said county for the re-payment of the same; and for this purpose, as often as money shall be loaned, to execute bonds, penal or single, in the name and on behalf of the county, under its corporate seal and the hands of the commissioners, or of a majority of them, with warrant of attorney to confess judgment or otherwise, and in such sums, payable at such times, and upon such rates of interest, not exceeding seven per centum, as they may deem advisable; the said bonds shall be wholly exempt from taxation for any purpose, and the persons lending money shall not be liable to see to the proper application of the same by the commissioners: *Provided,* That if any of the money authorized to be borrowed under the provisions of this act, be placed in the treasury of the county, the treasurer shall not be allowed for his whole services a sum exceeding one per centum, to be rated upon the amount placed therein: *Provided,* That no bond shall be issued for a less sum than one hundred dollars.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twentieth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 203.

## A N A C T

To incorporate the Kittatinny Improvement Company.

WHEREAS, A large section of country in the commonwealth of Pennsylvania and the state of New Jersey, lying on the river Delaware, between the Delaware Water Gap and Matamoras, in

Pike county, is without any cheap, safe and convenient channel of communication with the great markets of the country, and such communication may be supplied by the improvement of the channel of the Delaware river, between the Foul Rift, in Northampton county, and Matamoras, in Pike county, Pennsylvania :

*And whereas*, Considerable money has already been expended by persons whose names are hereafter mentioned, in clearing out and improving the channel of the river between the points last above named, and building steamboats for the navigation of the same, and the object contemplated by such persons cannot be effectually carried out without legislative aid ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Charles Brodhead, Conrad Shimer, Albert G. Brodhead, William R. Sharpe, Alfred Thomas, John H. Wallace, Oliver S. Dimmick and Richard Holcomb, and all other persons who shall become subscribers and owners of the capital stock hereby created, are hereby made and declared to be a corporation and body politic, in deed and in law, by the name of the Kittatinny improvement company, with power and authority to procure, purchase, construct and equip one or more boats and vessels, to be propelled or driven by steam or caloric engines or otherwise, with such appurtenances and equipments as may be deemed adequate and proper for the object and purposes of this incorporation, and the same to use and employ, to the exclusion of all other boats or vessels, (except those of such class, description or build as have been heretofore accustomed to be employed in the navigation of the river Delaware between the points aforesaid,) in the transportation of freight and passengers, and the towing of other craft to and from all points upon the Delaware river, between the head of Foul Rift, in the county of Northampton, and the village of Matamoras, in the county of Pike, and state of Pennsylvania.

SECTION 2. That the capital stock of the said corporation shall be one hundred thousand dollars, and shall be divided into one thousand shares of one hundred dollars each, with the privilege of increasing the said capital stock to two hundred thousand dollars ; certificates of said stock shall be issued and signed by the president and secretary, and sealed with the common seal of the corporation ; said stock shall be personal property, and may be transferred, in person or by attorney, under such regulations as may be prescribed by the by-laws.

SECTION 3. That the affairs of the said corporation shall be managed by a board of not less than six nor more than eleven directors, (one of whom shall be president,) and a secretary and treasurer ; and that the said corporators hereinbefore mentioned are hereby declared and appointed the first directors, who shall serve until the first day of October, one thousand eight hundred and sixty-one, and until others are elected ; and that all directors subsequently elected, shall be elected at such times and places, and shall hold their offices for such terms and periods as the by-laws may direct ; the secretary and treasurer shall be appointed by the board of directors ; a majority of the directors

**Corporators.**

**Name.**

**Powers and privileges.**

**Capital stock.**

**Management of corporation.**

**First directors.**

**Secretary and treasurer.**



shall constitute a quorum for the transaction of business, and shall, through the secretary, give notice to all stockholders of the time and place of corporate meetings and of elections, and shall also have power to appoint such officers and agents, and take such security for the faithful performance of their respective duties as they may deem necessary, and fix the amount of salaries to the several officers, and shall generally exercise all the powers necessary to promote the interests of the corporation; at any election of directors, the stockholders may vote themselves, or by their legally appointed attorneys or proxy; and each share of the capital stock shall entitle the holder thereof to one vote.

Quorum.

Officers and agents.

Votes.

SECTION 4. The said company shall have all the privileges and immunities belonging to a corporation; may sue and be sued, plead and be impleaded, and defend in all courts of law and equity; may make and have a common seal, and alter the same at pleasure; may purchase, receive, have, hold and enjoy, to them and their successors and assigns, all estate, real, personal or mixed, that may be necessary or proper for the purposes of the incorporation, and the same, from time to time, may sell, lease, mortgage or dispose of; may build and erect wharves and buildings at all suitable places on the said river, between the points last above mentioned; may make dividends of such portions of their profits as they may deem proper; may establish and collect reasonable tolls for the transportation of passengers and freight, and towing other craft; may adopt and enforce such by-laws and ordinances and regulations as shall appear necessary and convenient; and generally may do all and singular the matters and things which shall to them lawfully appertain to do, for the well being and profit of the corporation, and the business of the same.

Further powers.

Tolls.

SECTION 5. That the said corporation shall have full power and authority to borrow any sum of money, not exceeding one hundred thousand dollars, upon such terms and conditions as the directors may think proper; with full power, also, to mortgage and pledge, as security for such loan, any and all their property, real and personal, together with their corporate rights, powers, privileges and franchises; and the sale thereof, under such mortgage, shall convey the same to the vendee: *Provided*, That no mortgage shall be issued for a less sum than one hundred dollars.

May borrow money.

SECTION 6. That the said corporation shall use and employ so much of their capital stock as they may find necessary, in improving the navigation of the river Delaware between the points heretofore named, in removing from the channel rocks or other obstructions, in straightening and deepening the channel, from time to time, as occasion may require, in protecting the banks and confining the current by cribs or rip-rappings, and in guarding bars and islands with piers or sheer-booms, as occasion may require: *Provided*, That nothing be done which shall in any manner injuriously affect the passage of rafts or batteaux, it being declared to be the intent of the corporation not to exclude or interfere with the navigation of said river with boats of such build and description as have heretofore been accustomed to be used in the navigation of the said river between the points afore-

Improvement of the navigation, relative to.

Proviso.

said, except and unless when the water in the said river shall be at so low a stage as would now prevent the navigation of said river, between the points aforesaid, with such boats as have heretofore been used.

Authorized to re-  
move obstruc-  
tions.

SECTION 7. That the said corporation shall have power to abate, clear out and remove all wings, dams, fish baskets, eel weirs and other obstructions now or hereafter erected or placed in the said river, which shall interfere with the navigation of the same; and no dam, wing, fish basket, eel weir or other erection, shall hereafter be placed or erected by any person or persons in the said river, between the points heretofore specified, in such a manner as to interfere with the free navigation of said river by such boats and vessels as the said company shall employ or use in the navigation thereof; and the said corporation shall also have power to require and enforce any person or corporation, owning or working any ferry over the said river between the points above mentioned, and using any rope, wire, chain or cable for such ferriage, to raise any and all of said ropes, wires, chains or cables so high above the waters of the said river, as not in any manner, nor at any stage of water, to obstruct or in anywise interfere with the ascending or descending navigation of the said river, with such vessels, boats and craft as the company hereby incorporated may use in the navigation thereof.

What kind of  
craft may navi-  
gate the river.

SECTION 8. That no person or persons shall be allowed to navigate the said river, between the head of the Foul Rift and the village of Matamoras aforesaid, with boats propelled by steam or caloric, or flat bottomed or other boats of a draft or build not heretofore accustomed to be used in the navigation of the river, between the said points, for the purpose of transporting passengers or freight; nor shall any person or persons use the channel, as improved by the said corporation, for navigation with durham and other boats of the draft or build heretofore used on the said river, between the points aforesaid, when the waters of the said river are so low as would prevent the use of such boats in the condition the channel is now in, and without the improvements made by the company, unless by the permission of the said corporation, and at such reasonable rates of toll as the said corporation may adopt.

Certain property  
may be purchas-  
ed of the corpora-  
tors.

SECTION 9. That the said corporation shall purchase and take, of such of the corporators herein named as may be the owners of the same, at a fair valuation, all boats and machinery which, at the passage of this act, they shall have constructed or purchased for or used in the navigation of the said Delaware river, between the points last above named; and shall also refund and pay to the said corporators, and each of them, all moneys which they or any part of them have heretofore laid out and expended in exploring, surveying or improving the channel of the said river, between the said points, for the purposes of, and with a view to, the navigation thereof, in the manner contemplated by this act.

Obstructing the  
navigation, pen-  
alty for.

SECTION 10. That if any person or persons shall wilfully injure or obstruct the said corporation in the navigation of the said river between the points aforesaid, or shall in any manner injure, impair or obstruct the channel of the said river, or any

walls, wings or other erections made by the said company for the improvement of the navigation thereof, or the wharves, slips, piers or other erections made by said corporation, or any of their boats, engines or machinery, or shall in any manner interfere with, violate or infringe upon any of the privileges or franchises herein granted or conferred upon the said corporation, such person or persons so offending shall forfeit and pay to the said corporation, the sum of one hundred dollars for each and every offence, to be recovered as debts of like amount are recoverable by law; and shall also be liable to double the amount of damages sustained thereby, to be recovered in any court of competent jurisdiction. How recovered.

SECTION 11. That this act shall continue in force for thirty years, and no longer. Limitation.

SECTION 12. That the said company shall pay a bonus of one-half of one per centum on the capital stock of said company, and that this act shall not take effect until it shall receive the concurrence of the legislature of New Jersey. Bonus.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twentieth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 204.

## SUPPLEMENT

To an act relative to the Allentown Water Company, passed the twenty-eighth of April, Anno Domini one thousand eight hundred and fifty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the act of assembly, entitled "An Act relative to the Allentown water company," passed the twenty-eighth day of April, Anno Domini one thousand eight hundred and fifty-seven, authorizing the said company to borrow any further sum or sums of money, not exceeding twenty thousand dollars, at a rate of interest not exceeding six per cent., be and the same is hereby repealed, so far only as the rate of interest is concerned; and for the sum or sums so by the said act authorized to be borrowed, the said company be and it is hereby authorized to make, execute and issue certificates, bonds and other evidences of the indebtedness of said company, to the lender or lenders of the money by them*

borrowed, in such form or forms, and on such terms and conditions as may be by them deemed expedient, and if necessary, on such security as may be mutually agreed upon by and between the parties interested: *Provided*, That said company shall issue no bond, note or other evidence of indebtedness, for any sum less than one hundred dollars: *And provided also*, That the said bonds, notes or other evidences of indebtedness shall not be disposed of at less than their par value: *And provided further*, That the certificates, bonds or other evidences of indebtedness hereby authorized to be issued, shall not exceed an interest of seven per cent. per annum.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 205.

## AN ACT

To revive and continue in force the law relative to graduating Lands on which Purchase Money is due the Commonwealth.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the provisions of an act to graduate lands upon which money is due and unpaid the commonwealth, passed the nineteenth day of April, Anno Domini one thousand eight hundred and fifty-eight, are hereby revived and continued in force until the first day of August, Anno Domini one thousand eight hundred and sixty-one; and the surveyor general is hereby required, as soon as may be after the passage of this act, to furnish to each county in this commonwealth a list of such lands as shall remain therein to which the commonwealth claims title, or upon which she has any lien; and the register and recorder of each county is hereby required to post the same in a conspicuous place in his office.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 206.

## A N A C T

For the protection of Sidewalks in the township of New London, Chester county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, it shall be a misdemeanor for any person or persons to ride, drive, or haul on or along any side or foot path, or walk made along the side or on the bounds of any public road in the township of New London, in the county of Chester, where it is evident such side or foot walk, by being laid off, graded or otherwise improved, is intended only for foot passengers, except riding, driving or hauling across said foot walk, going on, to or off from adjoining property: *Provided also,* That such side or foot walk has been made by or with the consent of a majority of the supervisors of said township; and upon the oath or affirmation of any landholder of said township, before any justice of the peace of the county of Chester, that such misdemeanor has by any person or persons been committed, he shall issue a warrant for such person or persons committing such misdemeanor; and the justice of the peace is hereby empowered to impose a fine of not exceeding five dollars and costs of suit on each and every such offender, for each and every such offence or misdemeanor committed, which fine the justice of the peace shall pay over to the supervisors of the township, to be used towards the improvement of the public roads; and such offenders shall stand committed until fine and costs of suit are paid.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 207.

## AN ACT

Relative to Road Commissioners, Pathmasters and Town Clerk in the township of Fairview, in the county of Erie.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That section first of the act of April eighth, one thousand eight hundred and forty-six, entitled "An Act relating to the election of pathmasters in the county of Erie, and for other purposes," be and the same is hereby repealed, so far as relates to Fairview township aforesaid; and the road commissioners of said township are hereby authorized and directed to appoint pathmasters (on the expiration of the term of office of the pathmasters now in office) for the several road districts in said township, in accordance with the provisions of the nineteenth section of act of thirteenth April, one thousand eight hundred and forty-three.

Repeal.

Pathmasters to be appointed.

Compensation of road commissioners.

**SECTION 2.** That the road commissioners of said township shall hereafter be entitled to receive one dollar and fifty cents each for every day necessarily spent in the performance of their official duties.

Authorized to employ clerk.

**SECTION 3.** That said road commissioners are hereby authorized to employ a clerk, to keep a record of their proceedings and of their accounts; said clerk shall also perform the duties of a town clerk whenever the office of town clerk may be vacant, and shall be entitled to the same fees for the performance of the duties of town clerk that town clerks are by law entitled to receive.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER,



No. 208.

## A N A C T

To prevent hunting Deer with dogs in certain townships and counties of this Commonwealth.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That an act to prevent the hunting deer with dogs in the townships of Shippen and Gaines, in the county of Tioga, and Donegal, Cook, Ligonier, Fairfield and St. Clair, in the county of Westmoreland, approved the nineteenth day of March, Anno Domini one thousand eight hundred and fifty-eight, be and the same is hereby extended to the county of Snyder; and the townships of Elk, in the county of Tioga; and the townships of Huntingdon, Fairmount and Ross, in the county of Luzerne; and East Hanover, Cold Spring, Union and Bethel, in the county of Lebanon.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 209.

## A N A C T

To pay Dennis M'Donald certain moneys.

WHEREAS, By a report made the twenty-sixth day of January, one thousand eight hundred and sixty, signed by the attorney general, auditor general and state treasurer, the commonwealth is found to be indebted to Dennis M'Donald in the sum of seven hundred dollars; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be hereby authorized to pay to the said Dennis M'Donald, or his heirs or assigns, the sum of seven hundred dollars: *Provided,* That the said M'Donald, his heirs or assigns,

will receive the said seven hundred dollars in full for all his claim or claims against the commonwealth.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 210.

# AN ACT

To change the number of Deacons of the Trinity Lutheran Church of Reading.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, the congregation known as the Trinity Lutheran church of Reading, shall elect nine deacons for said church, instead of six.*

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 211.

# AN ACT

For the relief of Mary Kriner, Widow of an Old Soldier.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

the state treasurer be and he is hereby authorized and directed to pay to Mary Kriner, of Schuylkill county, widow of Philip Kriner, deceased, a soldier of the Revolutionary war, a gratuity of forty dollars, and an annuity of forty dollars during her natural life, commencing on the first day of January, one thousand eight hundred and sixty, and payable half yearly thereafter on the first of July and January.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 212.

A N A C T

To incorporate the Huntingdon and M'Aleavy's Fort Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* William Dorris, junior, James Gwin, David Dunn, Horatio G. Fisher, William E. M'Murtrie, Andrew P. Wilson, Theodore H. Cremer, William P. Orbison, John P. Anderson, John Scott, Franklin H. Lane, Alexander Port, William Lewis, J. Simpson Africa, Jacob Miller, (Creek,) Elisha Shoemaker, junior, John P. Stewart, Hezekiah Crownover, Henry Cornpropst, John Oaks, John Cummins, William Couch, William B. Smith, Robert M'Burney, Samuel Steffey, Henry Lee, George Jackson, (of Jackson township,) and Doctor Matthew Miller, or any five of them, *Commissioners* are hereby appointed commissioners to open books, receive subscriptions of stock, and organize a company by the name, style and title of the Huntingdon and M'Aleavy's Fort turnpike road company, with authority to construct a turnpike road from the borough of Huntingdon to the village of M'Aleavy's Fort, in Jackson township, Huntingdon county; and to have, exercise and enjoy all the rights, powers and privileges conferred upon such corporations by an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, Anno Domini one thousand eight hundred and forty-nine, and the several supplements thereto; subject, also, to the conditions and restrictions contained in said acts. *Style. Route. Subject to.*

SECTION 2. That the capital stock of said company shall consist of eight hundred shares, at twenty-five dollars each. *Capital stock.*

Limitation.

SECTION 3. That in case the company should fail to commence the construction of said road within three years, and to complete the same within six years after the approval of this act, then this act shall be null and void, except so far as may be necessary to settle the affairs and pay the debts of the company.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 213.

## A N A C T

Authorizing the Chief Burgess, Assistant Burgess and Town Council of the borough of Berwick, in the county of Columbia, to erect a Lock-up House in said borough.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

Lock-up authorized.

the chief burgess, assistant burgess and town council of the borough of Berwick, in the county of Columbia, be and they are hereby authorized and empowered to erect a lock-up house in said borough, and appropriate the same for the security and temporary detention of persons committed by justices of the peace or burgess or assistant burgess of said borough, for any violations of the laws of this commonwealth, or of the ordinances of said borough, for which such person or persons could be lawfully committed to the common jail of said county, there to be kept until such offender or offenders can be removed to the common jail of said county, if committed for an indictable offence: *Provided,* That no person shall be confined for a longer period than forty-eight hours at any one time in said lock-up house, except such person be charged with an indictable offence, and it be necessary to detain such person or persons for further examination.

Purposes of.

Provided.

Fees.

SECTION 2. That the legal fees for the arrests, commitment and safe keeping of any person or persons in said house, on a charge of any indictable offence, shall be taxed by the proper authority, and paid as other costs in this case.

Erection of, relative to.

SECTION 3. That the chief burgess, assistant burgess and town council of the said borough, or a majority of them, may appropriate and pay for the erection of said lock-up house, and shall

appoint a proper person to keep said lock-up house, and pay for such services, from time to time, whatever the said burgess or town council, or a majority of them, may deem just and proper; said sums to be paid out of the funds of said borough: *Provided, Proviso.* That the cost of said lock-up house shall not exceed two hundred dollars.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 214.

## A SUPPLEMENT

To an act, entitled "An Act relating to Dogs in Allegheny, Chester, Northampton, Schuylkill and Lancaster counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the several provisions of an act, entitled "An Act relating to dogs in Allegheny, Chester, Northampton, Schuylkill and Lancaster counties," approved the sixth day of April, Anno Domini one thousand eight hundred and fifty-four, be and the same are hereby extended to the counties of Carbon, Clinton, Philadelphia, Franklin and Lycoming, as fully and effectually as though originally named and mentioned in said act.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 215.

## A N A C T

To authorize the Auditor General and State Treasurer to re-examine the accounts between the Commonwealth and the President, Managers and Company for erecting a Bridge over the Conemaugh, at or near Clark's Ferry, (Saltsburg.)

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the auditor general and the state treasurer be and they are hereby authorized and directed to re-examine the accounts between the commonwealth and the president, managers and company for erecting a bridge over the Conemaugh, at or near Clark's Ferry, and to re-settle and correct the errors contained therein, according to law.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 216.

## A N A C T

Supplementary to an act passed thirteenth April, one thousand eight hundred and fifty-nine, relating to Billiard Saloons, et cetera, in the counties of Chester and Delaware, extending the same to Lycoming and Clinton counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the provisions of the first section of an act, entitled "An Act for the better regulation of billiard rooms, bowling saloons and ten-pin alleys in the counties of Chester and Delaware," approved the thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine, be and the same are hereby extended to the counties of Lycoming and Clinton; and the provisions of the second section of said act shall be and the same are hereby extended to the county of Lycoming.

Provisions of certain act extended to certain counties.



SECTION 2. That the provisions of the second section of said act, thus extended to the county of Lycoming, shall extend to and include all persons keeping a restaurant or eating house, with or without license, to sell spirituous or malt liquors, and shall be construed to extend to and include all bagatelle tables, or other contrivance or device for games of hazard or address, under the penalty therein specified.

Provisions of certain act extended to Lycoming county.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

## No. 217.

## AN ACT

Relating to the New York and Erie Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the purchaser and purchasers of the railroad, rolling stock, franchises, property and estate, real and personal, of the New York and Erie railroad company, at any sale which may be decreed by the courts of the state of New York, under a decree for the foreclosure of the mortgages known as the third, fourth or fifth mortgages of said company, or of either or all of said mortgages, shall, on complying with the terms of sale, and receiving such deeds as the said supreme court shall direct, under and subject to encumbrances, and complying with such orders therein specified, in regard to the receiver of said property and franchises in this state, as the supreme court of this state shall make and direct, become vested with all the railroad and road-bed, estate, real and personal property, rights, powers, privilege and franchises which the said company now possess or hold in the state of Pennsylvania, or did possess at the date of the appointment of the said receiver; subject to all the duties, penalties, taxes, restrictions, obligations and provisions of the laws of this state relating to and concerning said company; and also subject to the liens upon said premises, and the franchises of said company, created by the state of New York, and by such mortgages thereupon made by the said company, prior to the mortgage upon which such decree may be made, as have been recorded in this state, which said mortgages are hereby ratified and con-

Purchase of the road, rolling stock, &c.

Rights, powers and privileges.

Subject to.

- May convey to any new corporation.**      **Proviso.**      **Receiver, duties of.**      **Commissioner to be appointed.**      **Real estate in Susquehanna county, relative to.**      **Commissioner to make report, &c.**      **Residue of real estate at Susquehanna Depot to be released from lien.**      **Order and decree for sale of railroad, relative to.**
- firm; and the purchasers may convey all and singular the said property, railroad and franchises, with the appurtenances, to any new corporation that may be organized under the laws of the state of New York, for the purpose of owning and operating said road; and said new corporation may mortgage the same, as allowed by the laws of the state of New York, but such mortgages are to be recorded in this state: *Provided*, That said mortgages shall not include or encumber the residue of said land hereinafter provided to be released from the present mortgages.
- SECTION 2. The said receiver shall continue to operate said railroad, and exercise said franchises, under the orders of said courts in New York and in this state, until a corporation, so to be formed under the laws of the state of New York, shall receive possession of the same, as may be allowed by the said courts.
- SECTION 3. That the supreme court of this state, upon due notice to the trustees of said mortgages, and to said receiver, shall appoint a commissioner in said suit pending in said court, who, on due notice in writing to said trustees and receiver, shall, after examination, and after hearing said trustees and receiver, by counsel or otherwise, and such witnesses as may be offered, decide what real estate in and about Susquehanna Depot, in the county of Susquehanna, is reasonably necessary, in reference to the present and future use and operation of said railroad, depots, tracks, road bed, machine shops, water stations and other property of the said New York and Erie railroad, and the future owners, occupiers or operators thereof, and so that the purchaser and any future corporation may conveniently maintain and operate the said road, and use all the shops and other depots, stations and turn-outs, wood sheds and wood yards, as the same have been hitherto used, or may hereafter become necessary for the business of said railroad, and shall report the same to said court by metes and bounds; and said court shall, if said trustees or receiver desire it, hear them in reference to said report, and upon such hearing, to change, alter and modify the said report and boundaries, and the same to establish and confirm; and the said purchaser may take and hold the residue of said property, and sell and dispose of the same, and upon confirming and ratifying the sales of any portion of said lands, heretofore contracted to be sold by the said New York and Erie railroad company, may and shall be entitled to receive all arrears of purchase money due thereon.
- SECTION 4. That no one of the mortgages of the said New York and Erie railroad company shall be held to be ratified and confirmed hereby, until and unless the trustees therein named, severally and respectively, or the survivors of them, or their successors, shall release from the lien of the mortgages given to them respectively, the residue of the said real estate at Susquehanna Depot, not required for said company, as hereinbefore provided; and which release they are hereby authorized to make without personal liability.
- SECTION 5. That the supreme court of this state may make such order and decree for the sale of said railroad, in the state of New York, as they may deem advisable; and the settlement and the adjustment of the accounts of the receiver, which have

heretofore or may hereafter be made in the supreme court of the state of New York, shall be final and conclusive in respect thereto; and the said receiver shall pay, from the funds in his hands, all sums now due for labor and service performed for said company in this state, and for materials furnished by persons in this state, and for and relating to the expenses of the proceedings in this state which the court of this state may direct.

Receiver to pay  
certain sums now  
due, &c.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 218.

## A FURTHER SUPPLEMENT

To an act passed the twenty-ninth day of March, Anno Domini one thousand eight hundred and forty-nine, entitled "An Act for the erection of a Boom in the Susquehanna river, at or near the borough of Lock Haven, Clinton county."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the West Branch boom company be and they are hereby authorized to borrow any sum or sums of money, not exceeding fifty thousand dollars, and issue their bonds therefor, at such rates of interest, and in such sums and terms of payment as may be agreed upon between the parties; and secure the payment of said bonds by mortgaging their boom, together with all its corporate rights and franchises, and also the whole or any part of their property, whether real or personal: *Provided,* That no bond shall be issued for a less denomination than one hundred dollars.

Authorized to  
borrow money  
and issue bonds.

Provided.

SECTION 2. That H. L. Dieffenbach, James Hemphill and J. S. Furst are hereby appointed trustees under this act, whose duty it shall be to take charge of the bonds and mortgages when issued by said corporation, in pursuance hereof, and make sale of the said bonds, or as many thereof as may be necessary, at the best price that can be obtained for the same; and with the proceeds thereof, together with the rents, issues, boomage and profits of the said company, all of which are hereby placed under the control of the said trustees, they shall first pay off and liquidate all the debts and legal liabilities of said corporation,

Trustees.

Duty of.

and the balance shall be applied by said trustees to the improvement and repair of said boom, under the direction of said trustees.

Toll.

SECTION 3. That the said company shall be authorized to charge, as toll or boomage, on board logs, the sum of fifty cents per thousand feet board measure, including warps and wedges, in lieu of thirty-five cents per thousand feet, as provided in the sixth section of the act to which this is a supplement; and the said sixth section, so far as the same is hereby altered, is hereby repealed.

Repeal.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 219.

## AN ACT

Supplementary to an act incorporating the West Ward Water Company, of the borough of Easton.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the West Ward water company are hereby authorized and empowered to execute a mortgage or mortgages of all their estate, real, personal and mixed, or of so much thereof as the board of directors shall think fit, and of all their chartered and corporate franchises, rights and privileges, to those persons who, as endorsors, sureties or guarantors for said West Ward water company, have paid, or are liable to pay, the *bona fide* indebtedness of said company; and the board of directors shall have power to ascertain and designate the said mortgages, and the amount for which said mortgage or mortgages shall be given.

Authorized to execute mortgages.

Judicial sale, relative to.

SECTION 2. At any judicial sale which shall be had under said mortgage, all the aforesaid estate, franchises, rights and privileges, described and set forth in said mortgage, shall pass to and vest in the purchaser or purchasers at such sale, in the same manner and with the same effect as the same were held and enjoyed theretofore by the said mortgagors.

Purchasers to organize corporation, issue certificates of stock.

SECTION 3. The said purchasers shall proceed to organize their corporation, issue certificates of stock, not exceeding one hundred and twenty thousand dollars, in sums of fifty dollars each, representing their corporate property, and proceed to complete

and conduct their works of said corporation, under the name and style of "The Lehigh water company."

Style.

SECTION 4. At any such sale made as aforesaid, the said corporate estates, rights, privileges and franchises shall be sold clear of all incumbrances; and the purchase money shall be applied to the liens in order of priority, according to law, and under the direction of the court, if required by the parties interested.

Corporate estates to be sold clear of incumbrances.

SECTION 5. The West Ward water company shall continue to exist for the mere purpose of liquidation, and unless a sequestrator shall be appointed by the court, such liquidation shall be conducted by the board of directors.

West Ward water company, relative to.

SECTION 6. That the corporation of the borough of Easton be and they are hereby authorized to increase its indebtedness to an amount not exceeding one hundred and twenty thousand dollars; and for that purpose to issue the bonds of the said corporation, with interest coupons attached, in such sums, and payable with interest at such dates as the town council of the said borough of Easton shall order and direct, and to dispose of the said bonds for the best rates and on the best terms can be obtained for the same, for the purpose of supplying the said borough of Easton with water: *Provided*, That said corporation of the borough of Easton shall become the purchaser of the property of the West Ward water company, under the sale authorized by this act, or otherwise.

Borough of Easton authorized to increase its indebtedness, &c.

Provide.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twentieth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 220.

## AN ACT

Authorizing the School Directors of the borough of Indiana, in the county of Indiana, to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the school directors of the borough of Indiana, in the county of Indiana, be and they are hereby authorized to borrow a sum or sums of money, not exceeding four thousand dollars in the aggregate, for the purpose of paying for the erection of the school building now being built by said board of school directors in said borough; and it shall be lawful for the board of school di-

rectors of said school district, to issue bonds for the same, at any rate of interest not exceeding eight per centum per annum, and to secure the money so borrowed by bond or bonds, with mortgage or mortgages upon the real estate belonging, or that may then belong to the common school district of said borough, or otherwise, as the said directors may deem proper; said money to be repaid out of the school tax to be hereafter collected in said school district, and not less than one-eighth of the whole amount of borrowed money and interest to be paid each and every year until the debt is extinguished.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 221.

## AN ACT

To authorize the School Directors of the borough of M'Connellsburg, Fulton county, to borrow money.

WHEREAS, By the act of May eighth, one thousand eight hundred and fifty-four, authorizing the school directors to borrow money, the per centage is not large enough to meet the wants of said borough; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the school directors of the borough of M'Connellsburg, Fulton county, be and they are hereby authorized and empowered to borrow, upon the credit of said borough, for the purpose of erecting a new school house, any sum of money not exceeding fifteen hundred dollars, payable within ten years, or sooner if said board shall so determine: Provided, That no bond or other obligation shall be issued by said board for the payment of sums of a less denomination than one hundred dollars, and that the same shall be exempt from taxation.*

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.



No. 222.

## AN ACT

To extend the provisions of a certain act to Monroe and Lancaster counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the sixth section of an act, entitled "An Act for the relief of Mary Lambright, a widow of a Revolutionary soldier; relating to a poor house in Beaver county, and to licensing billiard rooms, et cetera, in Bedford county," approved April third, one thousand eight hundred and fifty-two, be and are hereby extended to Monroe and Lancaster counties: *Provided*, That the provisions of the said section shall only extend in Lancaster, to Ephrata Mountain springs.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and sixty.,

WM. F. PACKER.

No. 223.

## A FURTHER SUPPLEMENT

To the act to incorporate the East Pennsylvania Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall and may be lawful for the East Pennsylvania railroad company, to construct branch or lateral railroads to any mines or quarries, or to connect with any other railroads within the counties of Berks and Lehigh: *Provided*, Such branch or lateral railroads shall not in any case exceed five miles in length; and in constructing the same, said railroad company shall be entitled to all the privileges, and be subject to all the provisions and restrictions of the act of assembly incorporating said East Pennsylvania railroad company, (under the name of the Reading

## LAWS OF PENNSYLVANIA,

and Lehigh railroad company,) approved the ninth day of April, Anno Domini one thousand eight hundred and fifty-six.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 224.

## A N A C T

Regulating the standard weight of Clover Seed.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the standard weight of clover seed shall hereafter be sixty-two pounds to the bushel: Provided, That nothing in this act contained shall prevent any person or persons from contracting to buy or sell any clover seed by measure; and all laws or parts of laws, inconsistent herewith, are hereby repealed.*

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 225.

## A N A C T

To authorize the Bridgewater School District, in the county of Beaver, to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

the Bridgewater school district, in the county of Beaver, is hereby authorized and empowered to borrow money, for the purpose of erecting and completing a school house in said district, in any amount not exceeding twenty-five hundred dollars, and at any rate of interest not exceeding eight per centum per annum, and to secure the same by bonds, penal or single, with or without warrants of attorney to confess judgment, or judgments thereon, signed by the president of the board of directors of said district, and attested by the secretary thereof; and the persons loaning said money are not to be responsible for, or affected in their rights by, any misapplication of the said money; and the same proceedings are hereby granted for the collection of said money, to the persons loaning the same, against said district, as are provided by existing laws against counties and townships to enforce the collection of money: *Provided*, That said bonds shall not be for a less sum than one hundred dollars each.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 226.

## A SUPPLEMENT

To an act to incorporate the Allegheny and Butler Plank Road Company, approved the fifth day of April, Anno Domini one thousand eight hundred and forty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the annual election for officers of said corporation, shall here-  
 after be held on the second Monday of May, of each year, in-  
 stead of the first Monday of November, as now authorized by  
 law: *Provided*, That the officers elected under the authority of  
 this act, on the second Monday of May next, shall not take  
 upon themselves the duties of said officers, until the terms of  
 the present officers expire.

Annual election  
of officers, when  
to be held.

Proviso.

SECTION 2. That said company are hereby authorized to re-  
 pair their road with wood, stone, cinders or other suitable ma-  
 terial, in lieu of re-planking the same, and for that purpose to  
 enter upon lands contiguous or near to said road, and take such  
 necessary materials, making compensation to the owners there-

Repairing of  
road, relative to.

Subject to. for, in the manner provided in the ninth section of the act of the twenty-sixth of January, one thousand eight hundred and forty-nine, entitled "An Act regulating turnpike and plank road companies."

May increase rates of toll. SECTION 3. That the president and managers of said company are hereby authorized to increase the rates of toll on said road, during the months of November, December, January, February, March and April of each year; said increase not to exceed fifty per cent. on the rates now charged on the same: *Provided*, That whenever said increase is made during any of said months, a reduction equal in amount to said increase shall be made on the said rates of toll now charged, during a corresponding length of time in the months of May, June, July, August, September and October of said year.

Certain provision of an act re-enacted and continued. SECTION 4. That the first section of the act, entitled "An Act authorizing the Allegheny and Butler plank road company to borrow money, et cetera," approved the twenty-seventh day of April, Anno Domini one thousand eight hundred and fifty-two, is hereby re-enacted and continued in force, and the principal of any bond issued in pursuance of the authority hereby granted, shall be payable at any time the president and managers of said company may fix upon, not exceeding twenty years from this date.

Payment of bonds, relative to.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 227.

## A N A C T

To empower the Commissioners of the county of Cambria to act as a Board of Revision in said county.

WHEREAS, From various causes, the commissioners of the county of Cambria failed or neglected to organize themselves into a board of revision, for the purpose of equalizing the assessment and valuation of the taxable property in the various townships and boroughs of said county, at the time of the last tri-ennial assessment:

*And whereas*, Owing to the great inequality in the valuation of the taxable property in the various townships and boroughs of said county, great hardship exists as to the citizens of some

of said townships and boroughs, to wit: on those whose property is valued and assessed at nearly their full value, while in other townships and boroughs of said county, the property is valued and assessed at less than one-third of its true value; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the county commissioners of Cambria county are hereby authorized and required, immediately after the passage of this act, to proceed to do and perform all the duties and requirements imposed upon the county commissioners of the several counties of this commonwealth, sitting as a board of revision, under and by virtue of the tenth, eleventh, twelfth, thirteenth and fourteenth sections of an act of the general assembly of this commonwealth, entitled "An Act to provide for the ordinary expenses of the government, payment of the interest upon the state debt, receiving of proposals for the sale of the public works, and for other purposes," approved the twenty-seventh day of July, one thousand eight hundred and forty-two, as fully and entirely, and with like force and effect, as if the said county commissioners of Cambria, composing a board of revision as aforesaid, had acted in the premises, and at the proper time, under the provisions of the several sections of the said act of assembly before referred to.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 228.

## A N A C T

Relative to the Courts in Fulton county.

WHEREAS, There is often juries summoned to attend courts Preamble. of quarter sessions of Fulton county, when there is no business before said courts to require said juries, and that the expense attending the assembling of jurors has been found a burthen upon the tax payers of said county; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

Grand and tra- after the next April court in Fulton county, it shall not be law-  
versejurors, rela- ful to summon grand and traverse jurors, except for October  
tive to summon- and April courts: *Provided*, That the court may otherwise order,  
ing of. when the interest of said county shall require the same.

Proviso.

When constables  
to make returns.

SECTION 2. That the constables of said county shall only be  
required to attend and make returns to the April and October  
courts, except when they shall have an actual violation of law  
to return, which may be made at the sittings of the orphans'  
court, or where the court shall require their attendance at any  
sittings of said court.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-second day of March, Anno Domini  
one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 229.

## AN ACT

Supplementary to the several acts in relation to the Catawissa, Williams-  
port and Erie Railroad Company.

Preamble.

WHEREAS, By virtue of certain proceedings in the supreme  
court of the state of Pennsylvania, in pursuance of a decree of  
said court, the whole or some part of the railroad of the said  
Catawissa, Williamsport and Erie railroad company, together  
with its appurtenances, tracts of land and the property of said  
company, may be sold at public sale; therefore,

Purchasers con-  
stituted a body  
politic and cor-  
porate.

Style

SECTION 1. *Be it enacted by the Senate and House of Represen-  
tatives of the Commonwealth of Pennsylvania in General Assembly  
met, and it is hereby enacted by the authority of the same*, That  
the person or persons, for or on whose account the said rail-  
road, land and property, or any part thereof, may be purchased,  
be and they are hereby constituted a body politic and corporate,  
in deed and in law, under the name and style of the Catawissa  
railroad company, with all the rights, powers, privileges, im-  
munities, franchises and appurtenances, heretofore granted to  
and conferred upon the said Catawissa, Williamsport and Erie  
railroad company, by any act or acts of assembly whatsoever,  
and subject to all the restrictions now imposed upon the said  
company by virtue of any such act or acts, except so far as  
such rights, powers, franchises and restrictions are extended,  
modified or restricted hereby; the capital stock of said company  
shall be three million three hundred and fifty thousand dollars,

Subject to.

Capital stock.



of which two million two hundred thousand dollars shall be preferred stock, and one million one hundred and fifty thousand dollars shall be common stock, to be divided into shares of fifty dollars each, of which preferred stock, three thousand shares shall be applied, by the directors of said company, to the payment of the confidential debt of the Catawissa, Williamsport and Erie railroad company, as agreed in respect thereto; and the preferred stock shall be entitled to a dividend of seven per cent., out of the first earned profits of the company annually, and in each year thereafter, until the said dividend for each year shall equal, and be made up to said seven per cent., and which common stock shall be entitled to a dividend, after such dividends to preferred stockholders, and all arrears thereof shall be paid out of such profits of seven per cent., and the surplus net earnings after payment of said dividends in the order aforesaid, shall be divided among all the stockholders; and the said corporation may, by a vote of its preferred stockholders, at a meeting duly and specially convened, at which three-fourths in amount of said preferred stock, shall vote in favor thereof, shall have a right to increase the amount of preferred or common stock, for the purpose of procuring additional rolling stock or real estate, for the use of said company, or for the extension of its road, or for the purchase of any existing road connecting therewith; and said company shall have authority to sell and convey to the Quakake railroad company, that portion of their road bed which the said Quakake railroad company now occupies; and said company, before payment of any dividends from the earnings of said road, shall, within three years, pay all sums due for labor and materials, and to connecting roads, by the said Catawissa, Williamsport and Erie railroad company, and all sums needful to pay the expenses of the proceedings hereinbefore referred to.

SECTION 2. That the person or persons for or on whose account the said railroad, land and property, or any part thereof, so to be sold under the said proceedings may have been purchased, shall meet in the city of Philadelphia, within fifteen days after the conveyance for said railroad, lands and property and premises, or any part thereof, shall have been delivered, due notice thereof having been given, five days previously, in two daily newspapers published in the city of Philadelphia, and elect a president and six directors, not more than one of whom shall be a non-resident of Pennsylvania, and at which election, each such person shall be entitled to vote in the same manner and extent, as the capital stock had been issued to him or them at par, for his or their bonds, if purchased by or for the holders of bonds, or for his or their interest if otherwise purchased; and the said president and directors shall continue in office until the first Monday of May, succeeding such meeting, when, and annually thereafter on the said day, an election of president and six directors only, shall be held by the stockholders, to serve for one year, as provided in the several acts relating to the said Catawissa, Williamsport and Erie railroad company; and at all subsequent elections, each share of the preferred stock shall be entitled to one vote for the president and four directors, and each share of the common stock shall be entitled to one vote for two directors, and the five persons receiving the majority of

Preferred stock.  
Common stock.

Dividends on  
preferred stock.

On common stock

May increase  
amount of preferred stock.

Purposes of.

May convey portion of road to Quakake railroad company.

Sums due for labor and material, how paid.

Purchasers to meet in Philadelphia.

Notice of to be given.

President and directors, election of.

Votes.

Terms of office.

Subsequent elections, relative to

the votes of the preferred stockholders, and the two persons receiving a majority of the votes of the common stockholders, shall be elected as such president and directors.

Corporation to have no power to create new lien.

Dividends on preferred stock, how secured.

Contracting debts, relative to.

May issue bonds.

Certificate of organization to be filed in office of secretary of state

SECTION 3. That the said corporation shall have no power to create any debt, charge or lien upon said railroad, or the real estate necessary for the use thereof, or the franchises of the said company, which shall be entitled in anywise whatever, to be paid before dividends on the said preferred stock, and shall secure the payment of dividends on the said preferred stock, by a mortgage or deed of trust of the said railroad, and of the real and personal estate, and the franchises of the said company, and may include therein, any engines, cars or other equipments, and tools and materials necessary or convenient for operating or maintaining of the said railroad, whether then owned or thereafter to be acquired, which mortgage shall be the first lien thereon; and the said corporation shall not be allowed to contract any debt whatever, exceeding in the aggregate, at any one time, five per cent. of the capital stock of the said company, without an affirmative vote of three-fourths in number and amount of the said preferred stock: and the said company shall, within six months after its organization, be authorized to use the preferred and common stock aforesaid, for the payment and settlement of any debts due by the said Catawissa, Williamsport and Erie railroad company, as they may deem advisable, and for the adjustment and settlement with any parties who may be interested therein as stockholders or otherwise, as it may deem proper; and the said corporation shall have authority to make and issue bonds, not less than one hundred dollars each, and to deliver the same for the purchase money of any rolling stock which may be acquired by them, and may secure the payment thereof by mortgages, to one or more trustees, upon the said rolling stock from time to time, as the same may be so purchased.

SECTION 4. That it shall be the duty of such new corporation, within one month after its organization, to make a certificate thereof under the common seal, attested by the president and secretary, specifying the date of such organization, the name of the president and directors, and transmit the said certificate to the secretary of state, at Harrisburg, to be filed in his office, and a certified copy thereof shall be evidence of the existence of said corporation.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 230.

## SUPPLEMENT

To an act incorporating the Summit Branch Railroad Company, approved March twentieth, eighteen hundred forty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That if at any time the directors of the Summit Branch railroad company shall have neglected or omitted to hold, or appoint the proper persons to hold, the annual election for officers and directors of the said company, as authorized by the charter thereof, for the space of thirty days or longer, after the time designated in said charter for the said annual election, it shall be lawful for the stockholders, representing and owning at least one-half of the stock of the said company, to call a meeting of the stockholders, of which meeting three weeks' previous notice shall be given by publication in one or more newspapers in Harrisburg and Philadelphia, at which meeting an election for officers and directors of said company may be ordered and appointed to be held, at such time and place as the said meeting shall designate; and any person, a citizen of this commonwealth, although not being a stockholder, may be eligible as a director of said company; and if at the day appointed for such election as aforesaid, the board of directors shall not have appointed suitable persons who shall be in attendance to conduct the same, it shall be lawful for the stockholder or stockholders present, holding a majority of the stock of the said company, to appoint suitable persons for that purpose, who shall immediately proceed to hold the said election.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-third day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 231.

## A FURTHER SUPPLEMENT

To the act incorporating the Thomas Iron Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Thomas iron company be and they are hereby authorized to increase their capital stock, from time to time, to an amount not exceeding the sum of two hundred and fifty thousand dollars: Provided, That the assent of a majority of the stockholders, present at a meeting duly convened for such purpose, shall be first had thereto; and that the said company shall pay into the treasury of the commonwealth, upon such increase, a bonus of one-half of one per centum, payable in four equal annual instalments, the first payment to be made out of the first instalment called in upon the said increase; and the said corporation shall also pay such taxes upon dividends as are or may be provided by law.*

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-third day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 232.

## A SUPPLEMENT

To an act, entitled "An Act to incorporate the Washington and Manor Turnpike Road Company; legitimating Frank Jones, of the city of Philadelphia; relative to the election of Directors of the Poor in Allegheny county; to the Warren County Mutual Insurance Company; to the Lackawanna and Susquehanna Railroad; to advertising Lumber drifting upon Islands in the Susquehanna river; and relative to Lanes and Alleys in the city of Pittsburg," approved April twentieth, Anno Domini one thousand eight hundred and fifty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

all the provisions of the first, second and third sections of the act to which this is a supplement, except so much thereof as are hereinafter altered or supplied, shall be and the same are hereby fully revived and re-enacted: *Provided*, That the said work be commenced within five years from and after the passage of this act, and shall be completed within seven years thereafter.

Provisions of certain act revived and re-enacted.

Proviso.

SECTION 2. Jacob B. Shuman, George G. Brush, Jacob K. Manning, Benjamin Kauffman, Matthew M. Strickler, Benjamin Landis, Jacob Mann, Jacob H. Landis, Joseph Schoch, Daniel Hannan, George F. Breneman and Abraham Peters, or any three of them, be and they are hereby appointed commissioners, who shall do and perform all and several the duties required by the first section of the act to which this is a supplement.

Commissioners.

SECTION 3. That so much of the provisions of the said act as are inconsistent herewith, or as are hereby altered or supplied, be and the same are hereby repealed.

Repeal.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-third day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 233.

## A N A C T

Fixing the place of holding Elections for Saville township, Perry county.

WHEREAS, The place fixed by law for holding elections for Saville township, Perry county, is dilapidated, and it is desirous that the place for holding elections in said township should be changed to the Narrows school house, near Spanogle's tannery, in said township:

*And whereas*, The court of quarter sessions of Perry county will not hold a session until after the time for holding the next spring election has elapsed; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the general, special and township elections of the township of Saville, in the county of Perry, shall be hereafter held in the

## LAWS OF PENNSYLVANIA,

Narrows school house, near Spanogle's tannery, in said township.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-third day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 234.

## AN ACT

For the better preservation of Game in the county of Montgomery.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the act, approved the twenty-first day of April, Anno Domini one thousand eight hundred and fifty-eight, entitled "An Act for the better preservation of game and insectivorous birds," be and the same is hereby re-enacted, so far as relates to the county of Montgomery.*

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-third day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 235.

## AN ACT

Fixing the place of holding Elections for Spring township, Perry county.

WHEREAS, The place fixed by law for holding elections for Spring township, Perry county, is objectionable, and it is desirable that the place for holding elections in said township should



be changed to the carpenter shop of George B. Shaeffer, in said township:

*And whereas, 'The court of quarter sessions of Perry county will not hold a session until after the time for holding the next spring election has elapsed; therefore,*

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the general, special and township elections of the township of Spring, in the county of Perry, shall be hereafter held in the carpenter shop of George B. Shaeffer, in said township.*

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-third day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 236.

## A SUPPLEMENT

To an act to incorporate the Clinton County Coal Company, approved April eighteenth, one thousand eight hundred and fifty-three, and changed to the name of the Eagleton Coal Company, by act of March twenty-fourth, one thousand eight hundred and fifty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Eagleton coal company shall have the right to extend their railroad from its present terminus, at their depot on the West Branch of the Susquehanna river, down said river to a point near the Queen's Run dam, and there to connect with the Sun-* Authorized to extend road.  
*bury and Erie railroad.*

SECTION 2. *That the said company shall be authorized to hold, in addition to the quantity of land now held by them, any quantity of land that may be necessary for draining their mines and extending their drifts, not exceeding one thousand acres.* May hold additional land.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-third day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 237.

## A N A C T

To authorize the Commissioners of Erie county to increase the County Tax of said county, assessed for one thousand eight hundred and sixty.

WHEREAS, The rate of assessment for taxes on property, persons and things in Erie county, liable thereto for state and county purposes, as fixed by the commissioners of said county for the year one thousand eight hundred and sixty, is found insufficient to produce the amount needed to meet the requirements of said county for county purposes for said year, and the assessors have made their returns according to law; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall and may be lawful for the commissioners of said county of Erie to add to and increase the assessments for the year one thousand eight hundred and sixty, on all property, persons and things within said county, liable to taxation for state and county purposes so as aforesaid returned by the several assessors of said county, such an amount as that the whole rate of assessment shall not exceed that of thirteen mills on the dollar of the valuation thereof; and the said commissioners are hereby authorized and empowered to issue their duplicates for the collection of such increased assessments.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-third day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 238.

## A N A C T

To authorize the State Treasurer to refund certain Moneys to Virgil Grennell, late Treasurer of Wayne county.

WHEREAS, It appears from the books in the auditor general's office, that Virgil Grennell, late treasurer of Wayne county, paid more state taxes and military money to the state treasurer than he should have done; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the state treasurer be authorized, and he is hereby directed, to refund to and pay said Virgil Grennell, or his duly authorized agent or attorney, the amount of such over-payment, out of any moneys in the treasury not otherwise appropriated: Provided, That the auditor general shall first certify to the treasurer the amount, if any, so overpaid.*

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-third day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 239.

## AN ACT

Fixing the place of holding Elections for Miller township, Perry county.

WHEREAS, The place fixed by law for holding elections for Miller township, Perry county, is not in a condition to occupy, and it is desirous that the place for holding elections in said township should be changed to the school house near the village of Bailsburg, in said township:

*And whereas,* The court of quarter sessions of Perry county will not hold a session until after the time for holding the next spring election has elapsed; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the general, special and township elections of the township of Miller, in the county of Perry, shall be hereafter held in the school house near the village of Bailsburg, in said county.*

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-third day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 240.

## SUPPLEMENT

To an act to incorporate the Mechanicsburg Gas and Water Company, approved the fifth day of May, one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the corporators named in the original act, or their successors, be and they are hereby authorized to increase the capital stock of said company, from its present amount of twenty thousand dollars, to the sum of forty thousand dollars.*

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-third day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 241.

## AN ACT

To declare Medic's run, in Clearfield and Elk counties, a public highway.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Medic's run, in the counties of Clearfield and Elk, is hereby declared a public highway, from the mouth thereof to the points where the same crosses the south lines of great lots or warrants numbers five thousand two hundred and ninety-three and five thousand three hundred and twenty-eight, in said county of Clearfield.*

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-third day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 242.

## A N A C T

Authorizing the borough of Friendsville, in the county of Susquehanna, to erect a Lock-up House.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the burgess and town council of the borough of Friendsville, in the county of Susquehanna, be and they are hereby authorized and empowered to have built, or otherwise provided and supported in the said borough, at the expense thereof, a suitable building for the security and temporary detention of any person or persons committed by any justice of the peace of said borough or vicinity, or the burgess of said borough, or any member of the town council acting in his place, for any violation of the laws of the commonwealth, or of the ordinance or ordinances of the borough aforesaid, for which such persons could lawfully be committed to the common jail of the county aforesaid, there to remain and be kept until such offender or offenders can be removed to said common jail, if committed for an indictable offence, or until discharged according to law: *Provided,* That no person or persons shall be confined in said lock-up house, at any one time, for a longer period than forty-eight hours, except such person or persons charged with an indictable offence, and it may be necessary to detain him, her or them for a legal examination.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-third day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 243.

## A N A C T

To authorize the lowering certain Bridges within the borough of Meadville.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

the burgess and town council of the borough of Meadville are hereby authorized, provided the Erie canal company consent thereto, to lower the bridge over the canal on Main or One Hundred Feet street, and any or all other bridges across the canal in said borough, above said street, to such height as the said burgess and council may deem necessary for the proper grading of said streets; and that the navigation terminate below the said Main street aforesaid.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-third day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 244.

# AN ACT

To change the time of holding the Courts in the counties of Lawrence and Butler.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* hereafter the several courts of the county of Lawrence shall commence on the second Monday of February, third Monday of May, first Monday of September, and third Monday of December, and continue for two weeks, if required, except September term, which shall be one week; and the December term of Butler county shall commence on the first Monday, in lieu of the second, as heretofore.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-third day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.



No. 245.

## A N A C T

To aid the Commissioners of Northampton county in the erection of a new Court House.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That for the purpose of enabling the commissioners of Northampton county to erect a new court house without imposing a burdensome tax, they are hereby authorized to borrow any sum of money not exceeding thirty thousand dollars, and to issue bonds therefor, bearing interest at six per centum, and to pledge the said county for the payment thereof: *Provided,* That no bond shall be issued for less than one hundred dollars. Authorized to borrow money and issue bonds. Provide.

SECTION 2. The said county commissioners shall have authority, upon such terms and for such considerations as shall be agreed upon between the parties, to sell, exchange and convey so much of the real estate of the said county as they shall deem proper, and by their acceptance, to vest in the said county an absolute title to such real estate as shall be deemed necessary to enable them to discharge the duties imposed upon them by law, in relation to the erection and construction of public buildings. May sell and convey certain real estate.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-third day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 246.

## A N A C T

Authorizing and requiring the Auditors of Brown township, Lycoming county, to open and re-settle the account of Gibson Gamble, late Supervisor of Highways.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

the auditors of Brown township, in Lycoming county, are hereby authorized and required to open and re-settle the account of Gibson Gamble, late supervisor of highways.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-third day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 247.

## AN ACT

Authorizing the Commissioners of Warren county to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the commissioners of the county of Warren be and they are hereby authorized to negotiate a loan or loans, for the use of said county, at a rate of interest not exceeding six per cent. per annum: Provided, Said loan or loans shall at no time exceed the sum of five thousand dollars.*

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-third day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 248.

## AN ACT

To incorporate the Penn City Chemical College.

Preamble.

WHEREAS, Certain citizens of this commonwealth have associated themselves together for the purpose of making chemical

experiments with primitive earths and mineral substances, and of manufacturing phosphates and other chemical products therefrom, for the advancement of science and the benefit of agriculture; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Frederick A. Genth, Jacob L. Wendell, Gove Mitchell, Bettie Paul, George V. Neville, Lewis Seal and Henry T. Grout, and their successors, and all persons who now are or who may hereafter be associated with them, be and they are hereby created and erected into a body politic and corporate, in deed and in law, by the name, style and title of "The Penn City Chemical college; and by that name shall have perpetual succession, and shall be able to sue and be sued, plead and be impleaded, in all the courts of record and elsewhere; and shall be capable, in law and in equity, to receive, take and hold, by purchase, gift, devise or bequest, for the use of the said corporation, lands, tenements and hereditaments, and estates, both real and personal, wherever situated: *Provided*, That the said corporation shall not hold, by purchase, real estate of a greater yearly value than ten thousand dollars; and the same to grant, bargain, sell and assign, in fee simple or for any less estate, as to the said corporation may seem proper; and to make and have a common seal, and the same to break, alter and renew at pleasure; and also to ordain and establish, and put into execution such by-laws, ordinances and regulations as shall appear necessary and convenient for the government of the said corporation, not being contrary to the constitution or laws of the United States and of the commonwealth of Pennsylvania; and generally to do all and singular the matters and things lawfully appertaining to the well being of the said corporation, and the due management of the affairs thereof.

Corporators.

Style.

Powers.

Real estate.

Seal.

By-laws.

SECTION 2. The capital stock of the said company shall consist of five thousand shares of fifty dollars each, to be called in as the necessities of the company may require, for the purpose of making chemical tests, carrying on the experiments and general business operations of the said corporation.

Capital stock.

SECTION 3. The government of the said corporation, and the management and disposition of its affairs and property, shall be vested in a board of seven directors, who shall be elected by the stockholders annually, at such time and in such manner as the by-laws of the said corporation shall direct: *Provided*, That said corporation shall not purchase or hold any real estate, except such as may be requisite and necessary to carry out the true intent and purposes of this act.

Government, relative to.

Proviso.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 249.

## A FURTHER SUPPLEMENT

To an act to incorporate the Selinsgrove Bridge Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the act approved the eighteenth day of April, Anno Domini one thousand eight hundred and fifty-seven, entitled "An Act to incorporate the Selinsgrove bridge company," be and it is hereby revived and extended to the eighteenth day of April, Anno Domini one thousand eight hundred and sixty-one: Provided, The enrollment tax thereon be paid within one year after the passage of this act.*

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-fourth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 250.

## A SUPPLEMENT

To an act to equalize Taxation upon Corporations.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the act, entitled "An Act to equalize taxation upon corporations," approved the twelfth day of April, Anno Domini one thousand eight hundred and fifty-nine, shall not be so construed, that banks of deposit and discount or savings banks, shall be liable to tax upon dividends.*

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-fourth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 251.

## A N A C T

Relative to the Military Funds of Huntingdon county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the auditor general and state treasurer be and they are hereby authorized and required, in the settlement of the accounts of Franklin H. Lane, late treasurer of Huntingdon county, to allow him a credit on general account, for the amount of money shown to have been paid by him, for expenses of the Huntingdon county military brigade, during the years one thousand eight hundred and fifty-seven, one thousand eight hundred and fifty-eight, and one thousand eight hundred and fifty-nine, on orders of the brigade military board of auditors of said county, for which he has not already received a credit.*

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-fourth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 252.

## A N A C T

To incorporate the Lock Haven and Logansville Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That D. K. Jackman, L. A. Mackey, Simon Scott, William A. Simpson, J. G. Harris, P. T. Wright, William White, David Carskaddon, John Calvert, C. A. Mayor, P. M. Price, William Dunn, James Hemphill, Charles Blanchard, P. T. Dickinson, Jacob Brown, Phaon Jarrett, Jonathan Moyer, D. R. Heckman, Joseph Snook, Anthony Kleckner, George Brumgard, John B. Schrack and Philip Wohlfart, be and they are hereby appointed commissioners to open books, receive subscriptions, and organize a com-*

**Style.** pany by the name, style and title of the Lock Haven and Logansville turnpike road company, with power to survey and lay out, and construct a turnpike, from the borough of Lock Haven to the town of Logansville, in Clinton county, subject to all the provisions, rights and restrictions of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, Anno Domini one thousand eight hundred and forty-nine, and the several supplements thereto.

**Route.**  
**Subject to.**

**Capital.** SECTION 2. That the capital stock of said company shall consist of five hundred shares, at twenty-five dollars each, with power to increase the same, if necessary, to seven hundred shares.

**Lémitation.** SECTION 3. That if the said company shall not commence the construction of this road within three years, and complete the same within five years from the passage of this act, then it shall be null and void, except so far as the same may be necessary to wind up the affairs and pay the debts of the company.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-fourth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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## No. 253.

### A FURTHER SUPPLEMENT

To an act to incorporate the Allentown Railroad Company, passed the nineteenth day of April, eighteen hundred and fifty-three.

**May extend road** SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the Allentown railroad company shall have power to extend their railroad from its present terminus, at or near Auburn, any distance not exceeding eleven miles, and to connect, by means of such extension, with any lateral railroad in Schuylkill county.

**Lateral railroad companies may subscribe to capital stock.** SECTION 2. That it shall be lawful for any lateral railroad company with which the Allentown railroad company makes such connection, to subscribe to or purchase the capital stock or bonds of the said Allentown railroad company, in such amounts and upon such terms as may be agreed to in writing, under the corporate seals of the respective companies; and also, if they shall at any time so elect, to consolidate the stock of the two companies on terms that may be mutually agreed upon; and it shall



be lawful for any railroad company connected with under this act, to change the line of its railroad at the point or points of connection, where it may be necessary to improve its location: *Provided*, That the damages caused by such change shall have been paid, or secured to be paid, before effecting the same; and it shall further be lawful for the railroad company so connected with, to grant the use of its motive power to companies or individuals, upon such terms as may be mutually agreed on in writing: *Provided further*, That no discrimination shall be made by said company among the lateral railroads connected with under the provisions of this act, but that the rates of charges for tolls, freight, motive power, and all other charges on this road, shall be uniform among said railroads.

Proviso.

Proviso.

SECTION 3. That the Allentown railroad company are hereby authorized to pay to the subscribers to their capital stock, interest on the amount of capital stock paid in, at the rate of six per cent. per annum, either in money or stock, for a period not exceeding three years from the time of such payments.

May pay interest to subscribers to capital stock.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-fourth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 254.

## A FURTHER SUPPLEMENT

To an act to incorporate the M'Kean County Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the time specified in the third section of the act to which this is a further supplement, within which the works of the M'Kean railroad and navigation company are required to be commenced and completed, is hereby extended for the further term of two years.

Time for commencing and completing extended.

SECTION 2. That said company is hereby authorized to construct such portions of their works, as may be necessary, within the limits of Potter county; and said company is hereby exempted from so much of the provisions of section third, of the act of February nineteen, one thousand eight hundred and forty-nine, entitled "An Act regulating railroad companies,"

May construct works in Potter county.

Exempt from provisions of certain act.

## LAWS OF PENNSYLVANIA,

as requires the president to be a resident citizen of this commonwealth.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-fourth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 255.

## A N A C T

To increase the pay of the Directors of the Poor and House of Employment of Mercer county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the per diem allowance of the directors of the poor and house of employment of the county of Mercer, be two dollars per day, to be paid as now provided by law.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-fourth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 256.

## A N A C T

To change the place of holding the General and Special Elections of the townships of Mifflin, Upper Frankford, Upper West Pennsborough and North Newton, in the county of Cumberland.

WHEREAS, The house in which the said elections have been heretofore held for the districts named in the title to this act, has become so dilapidated as to be unfit for use ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the place of holding said elections for the said districts, to wit: the townships of Mifflin, Upper Frankford, Upper West Pennsborough and North Newton, in the county of Cumberland, be so changed that hereafter the general and special elections of said townships shall be held in the public school house in the borough of Newville, in the county of Cumberland.*

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-fourth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 257.

## A SUPPLEMENT

To an act, entitled "An Act to incorporate the Apprentices' Library Company of Philadelphia," passed the second day of April, one thousand eight hundred and twenty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That it shall and may be lawful for the Apprentices' library company of Philadelphia to extend the benefits of the said library, and loan the books composing the same, to such persons over the age of twenty-one years as the managers, in their discretion, shall think proper, and on such terms and under such regulations as the managers may prescribe.*

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-fourth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 258.

## A SUPPLEMENT

To the act appropriating the Moneys arising from Fines and Forfeitures to county purposes, approved the twenty-fourth day of March, A. D. one thousand eight hundred and eighteen.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* one-half of the fines and other forfeitures in the county of Berks, which, by the first section of the act of assembly, entitled "An Act appropriating the moneys arising from fines and forfeitures to county purposes," approved the twenty-fourth day of March, A. D. one thousand eight hundred and eighteen, are directed to be paid to the respective county treasurers, for the use of the counties respectively, shall, in said county, be paid to the treasurer of the Berks County law library, for the use of said corporation; and the books purchased by said library company shall be for the use of the several courts, the commissioners of said county, and the members of said association: *Provided, That* this section shall take effect from and after the first day of April, A. D. one thousand eight hundred and sixty, and shall continue in force for the period of five years.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-fourth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 259.

## AN ACT

Authorizing the State Treasurer to pay Elmer F. Jennings.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the state treasurer is hereby authorized to pay Elmer F. Jennings, the sum of two hundred dollars, out of any money not otherwise appropriated by law, in full for services rendered in

winding, repairing and attending clock at the state capitol, from July first, one thousand eight hundred and fifty-seven, to January sixteenth, one thousand eight hundred and fifty-nine, inclusive.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-fourth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 260.

## A N A C T

Authorizing the Board of School Directors of the borough of West Middletown, in Washington county, to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the directors of the common schools of the borough of West Middletown, in the county of Washington, for the time being, or their successors in office, be and they are hereby authorized and empowered to borrow any sum or sums of money, not exceeding seven hundred dollars, at any rate of interest not exceeding six per cent. per annum, for the purpose of paying off the indebtedness incurred in the enlargement and improvement of the public school house in said borough; and it shall and may be lawful for the board of school directors of said borough to secure the money so borrowed by bond or bonds, with mortgage or mortgages upon the real estate belonging to the common school district of said borough, or otherwise, as said directors may direct: *Provided,* That no certificates of loan for the sum or sums so borrowed, shall in any case be issued for a less sum than one hundred dollars.

May borrow money.

To be secured by bond and mortgage.

Proviso.

SECTION 2. That any loan which may be made in pursuance of the provisions of the foregoing section of this act, shall be exempted from taxation; and the said school directors are hereby empowered to provide for the gradual liquidation of the said loan, by increasing, (if necessary,) the special school tax for building purposes within said school district, above the rate fixed

Loan, to exempt from taxation.

Proviso.

by existing laws: *Provided*, The same shall not exceed ten mills on the dollar annually.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-fourth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 261.

## A N A C T

Appointing Commissioners to erect a Lock-up House at Coatesville or Midway, in Valley township, Chester county, and authorizing and directing the Supervisors of said township to levy and collect a sufficient amount of tax to defray the expenses of erecting said building.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That William Dilworth, Doctor Charles Huston, J. D. Perkins, Alexander Taggart, S. B. Worth and George W. Price, commissioners appointed by this act, are hereby authorized to have built or otherwise provided for, at the village of Coatesville or Midway, in Valley township, Chester county, a suitable building or place, for the security and detention of any person or persons committed by any justice of the peace, in the aforesaid township, for any violation of the laws of this commonwealth, for which such person or persons could be lawfully committed to the common jail of said county of Chester, there to remain and be kept, until such offender or offenders can be removed to the said common jail, if committed for an indictable offence, or until discharged according to law: *Provided*, That no person or persons shall be confined in said lock-up house, at any one time, for a longer period than forty-eight hours, except such person or persons be charged with an indictable offence, and it be necessary to detain him, or her, or them, for a legal examination.

Commissioners.

Duty of.

Location.

Purposes of.

Proviso.

Fees.

SECTION 2. That the legal fees for the arrest, commitments and safe keeping of any person or persons in said house, on a charge of any indictable offence, shall be taxed by the proper authority, and paid by the prosecutor or defendant, or the county of Chester, as the issue of the case may require and be determined.

Supervisors authorized to pay for erection of.

SECTION 3. That the supervisors of the said township are hereby authorized and required to appropriate and pay for the erection of said lock-up house, upon order drawn by the com-



missioners appointed by this act, any sum not exceeding in the whole three hundred dollars.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-fourth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 262.

## AN ACT

Making the borough of Emaus, in Lehigh county, a separate Election District.

WHEREAS, The borough of Emaus, in the county of Lehigh, was lately incorporated by the court of common pleas of Lehigh county aforesaid; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the borough of Emaus, in the county of Lehigh, shall hereafter be and constitute a district, separate and distinct from the township in which it is situated, for all purposes whatsoever; and that the qualified voters residing within the limits of said borough shall hereafter hold their general and special elections at the public house now occupied by Simon J. Shoemaker, at the time now fixed by law for holding elections in the several wards, boroughs and townships in the commonwealth of Pennsylvania.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-fourth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 263.

## A N A C T

Repealing an act to change the place of holding Elections in Liberty township, Montour county, approved the twenty-second day of March, Anno Domini one thousand eight hundred and fifty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the act to change the place of holding elections in Liberty township, Montour county, approved the twenty-second day of March, Anno Domini one thousand eight hundred and fifty-nine, be and the same is hereby repealed.*

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-fourth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 264.

## A N A C T

In relation to Grading and Paving in the borough of Manchester, in the county of Allegheny.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the town council of the borough of Manchester, in the county of Allegheny, shall have power to require, by ordinance, the grading and paving of any street, lane or alley, or parts of the same, not less than one square, within such reasonable time as the said council shall by ordinance direct; and shall have full power to levy and collect the costs and expenses of such grading and paving, by a pro rata assessment on the feet front of property abounding and abutting on any street, lane or alley so graded or paved: Provided, That the said councils shall not require the grading or paving of any street, lane or alley, or any part thereof, under the provisions of this act, except Beaver,*

Grading and paving,  
relative to.

Provido.

Locust and Walnut streets, and Ohio lane, until requested so to do by the petition of a majority of the persons owning property upon the street, lane or alley, or portion thereof, to be so graded and paved.

SECTION 2. That whenever any street, lane or alley, within the limits of said borough, shall have been graded or paved by the council, and the costs and expenses thereof assessed and apportioned as aforesaid, it shall be the duty of council to cause demand to be made, by the street commissioner, from the owner or owners of such property abounding and abutting as aforesaid, if known to them to be resident within the county of Allegheny, or from his, her or their agent, known to them to be resident therein, of the amount of said costs and expenses to which his, her or their property is liable as aforesaid; and if such owner or owners, his, her or their agent, shall neglect or refuse, for the space of thirty days after such demand, to pay the same, it shall be lawful for said council to cause, at any time thereafter, a statement to be made out by the said commissioner, headed by the name of such street, lane or alley, and setting forth the name or names of the owner or owners so delinquent, the amount of said expenses for which his, her or their property is liable as aforesaid, and a description of his, her or their property sufficient to identify it, giving the number of feet it abounds or abuts on such street, lane or alley, and the date of the demand aforesaid, of the truth of all which facts the said commissioner shall make affidavit; which statement and affidavit shall be filed in the office of the prothonotary of the court of common pleas of Allegheny county, and the said prothonotary shall enter the same of record in said court of the term to which it is filed. If the name or names of the owner or owners of property which is liable as aforesaid, is or are unknown, or if the owner or owners have no known residence in the county, or any known agent therein, such fact or facts shall appear on such statement, opposite the description of the property.

Costs and expenses, relative to collection of.

Statement, relative to.

SECTION 3. That no return of a wrong name or names as owner or owners, or misnomer in said statement, or mis-description of the property, shall vitiate said statement; but the name or names of owner or owners, and the description of the property, may be altered or amended, on application to said court for that purpose; and such costs and expenses shall be recoverable by writs of *scire facias*, in the name of the commonwealth, for the use of the burgess and town council of the borough of Manchester, in the same manner as debts secured by mortgage are recoverable; and such writs of *scire facias* may issue at any time after the filing of such statement.

Return of a wrong name or misnomer, relative to.

SECTION 4. That the town council as aforesaid shall petition the court of common pleas of Allegheny county to appoint viewers, who shall, within thirty days after such appointment, assess the cash value and costs of the paving on Beaver street, from Water lane, in the city of Allegheny, to Island lane, in the borough of Manchester, (already paved upon the credit of the borough,) as aforesaid, upon the property abounding and abutting equally. The decision of said viewers shall be final, and the collection of their assessments shall be proceeded with as set forth in sections second and third of this act, as applied to

Appointment of viewers, relative to.

Proviso.

streets, lanes and alleys yet to be graded, re-graded, paved and re-paved: *And provided*, That the expenses of the aforesaid viewers, in the discharge of their duties, shall be assessed, *pro rata*, upon the property abounding and abutting on said Beaver street:

Repeal.

Proviso.

SECTION 5. That so much of any act or acts as is inconsistent herewith, be and the same is hereby repealed: *Provided*, That nothing herein contained shall conflict or in any way interfere with any law or laws previously in force, regulating the grading, paving and curbing of said walks.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-fourth day of March, one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 265.

## A N A C T

Relating to the Fees of the Sheriff of Warren county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That hereafter, from the passage of this act, it shall be lawful for the sheriff of Warren county to charge two dollars and twenty-five cents per week, for boarding prisoners in his custody in the county jail.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-sixth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 266.

## A N A C T

To incorporate Williamsport Dickinson Seminary.

WHEREAS, Dickinson seminary, at Williamsport, was sold at sheriff's sale to Abraham Updegraff, Levi Hartman, John Smith and Jacob Sallada, who have offered the property to a joint stock company, on payment of sixteen thousand five hundred dollars, with interest from March first, one thousand eight hundred and sixty. Preamble

And whereas, Eli Slifer, William Frick, Irwin H. Torrence, Abraham Updegraff and others, have united as a joint stock company, in a book opened for that purpose, and have subscribed stock in shares of one hundred dollars, on the terms and conditions therein stated, and are desirous of being incorporated; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter said institution shall be known by the name and style of Williamsport Dickinson seminary, and shall be used for the education of males and females. Style.

SECTION 2. That the capital stock of the company shall be seventeen thousand five hundred dollars, in shares of one hundred dollars each, with power to increase the said capital stock to such an amount as may be necessary the more fully to carry out the original educational purposes of the stockholders: *Provided*, That there be no such increase without the advice and consent of two-thirds of the stockholders first had and obtained. Capital stock. Provide.

SECTION 3. That the said Abraham Updegraff, Eli Slifer, William Frick, Irwin H. Torrence and their associates, stock subscribers as aforesaid, are hereby erected and established, and declared to be a body politic and corporate, with perpetual succession, and with all the incidents of a corporation, in deed and in law, to all intents and purposes whatsoever, by the name, style and title of Williamsport Dickinson seminary, by which name and title the directors hereinafter named, and their successors, shall be able and capable at law and in equity, to take to themselves and their successors, for the use of said company, any estate in any messuages, lands, tenements, hereditaments, goods, chattels, moneys or other effects, by gift, grant, bargain, sale, conveyance, assurance, will, devise or bequest, of any person or persons whatsoever, and the same messuages, lands, tenements, hereditaments and estates, real and personal, to grant, bargain, sell, convey, assure, demise and to farm, let and place out on interest or otherwise dispose of, or invest, for the use of said company, in such manner as the said directors may deem best, and to receive the rents, issues, profits, income and interest of the same, and by the same name to sue, prosecute and defend, implead and be impleaded in any court of law or equity, Body politic and corporate. Title. Powers and privileges.

and in all manner of suits and actions whatsoever, and generally by and in the same name, to do and transact all and every the business touching or concerning the premises, or which shall be incidentally necessary thereto, as fully and effectually as any natural person or body politic or corporate, have power to manage their own concerns.

**Management and direction.** **SECTION 4.** The interests of the said company shall be under the management and direction of nine directors, to be elected by the stockholders annually, on the first Wednesday of February, either by proxy or in person; six of said directors shall be members of the Methodist Episcopal church, and five of their number shall constitute a quorum for the transaction of business; one hundred dollars shall, as aforesaid, be the price of one share, and each owner of a share or shares shall, at all elections for directors or other subjects referred to the stockholders, be entitled to a vote for each share so held and owned.

**Directors elected annually.** **SECTION 5.** That until the said election by the stockholders, on the first Wednesday of February, one thousand eight hundred and sixty-one, Abraham Updegraff, Eli Slifer, John Smith, William Frick, Jacob Sallada, James H. Brown, J. H. Dashiell, A. A. Reese and J. H. Torrence, be the board of directors who shall, at as early a period as practicable, meet and elect one of their number president, and another secretary; they shall also elect a treasurer, who may be one of their number, and shall be a stockholder, who, before entering upon the duties of his office, shall give bond for the faithful performance of his duties, to be approved by the board of directors.

**First directors.** **SECTION 6.** The said board shall cause to be made for their use, one common seal, with such device or devices and inscriptions thereon, as they shall deem proper, by and with which all deeds, certificates and acts of the said corporation shall be authenticated, and the same seal at pleasure break, alter or renew; the said board shall meet at such times as the president may appoint, and shall have power, and they are hereby authorized to make and enact by-laws and ordinances, for the government of the said seminary and company, the finances, electing and appointing the president and members of the board of instruction, fixing their salaries, removing them for misconduct, breaches of the by-laws or other causes which shall be deemed sufficient, appoint committees of their own board, and generally to determine all matters and things pertaining to the conduct of the business of the company and seminary, whether the same be herein particularly mentioned or not. The president of the board of instruction shall be an itinerant minister of the Methodist Episcopal church, shall be elected by the board of directors annually, and approved by the presiding bishop of the East Baltimore annual conference of the Methodist Episcopal church.

**Officers, election of.** **SECTION 7.** No misnomer of the said corporation shall defeat or annul any gift, grant, demise or bequest to or from said corporation.

**Seal.** **SECTION 8.** It shall be lawful for the board of instruction, by and with the advice and consent of the said board of directors, to confer the degrees of Bachelor of Arts, Master of Arts, and such other certificates or diplomas of proficiency in the arts, sciences, and other acquirements in literature, as to them shall seem proper.

**Meeting of the board, relative to.**

**By-laws.**

**Salaries.**

**President of the board, relative to.**

**Misnomer.**

**May confer degrees.**



SECTION 9. On the neglect or refusal of the president to call a meeting of the board, two members of the board may call a meeting, and with a quorum proceed to business; a meeting of the stockholders may be called at any time, either by the president or six stockholders; all meetings of stockholders for elections or other purposes, shall be held in the chapel of the seminary.

Refusal of president to call meetings, relative to.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-sixth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 267.

## A N A C T

To prevent catching and destroying Trout in the counties of Chester, Huntingdon and Delaware.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, any person or persons who shall take, catch or destroy any fish of the kind known by the name of trout, from or out of any of the fresh water streams of and in the counties of Chester, Huntingdon and Delaware, at any time between the first day of September and the first day of March following, in each and every year, and shall be duly convicted thereof before any alderman or justice of the peace, shall forfeit and pay for each offence the sum of five dollars; and in case such offender shall neglect or refuse to satisfy such forfeiture, he shall be committed to the jail of said county for any time not exceeding forty-eight hours.

When trout not to be destroyed.

Penalty.

SECTION 2. That the forfeitures in money accruing and becoming due for any offence against this act, shall be paid to the school directors of the school district in which the offence was committed, to be applied towards paying the expenses of the common schools maintained therein.

Forfeitures, how applied.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-sixth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 268.

## A N A C T

Appointing Commissioners to lay out and open a State Road in the counties of Elk and Jefferson.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Henry Souther, Joseph S. Hyde and N. B. Lane are hereby appointed commissioners for the purpose of laying out, opening and making a state road, commencing at the village of Ridgway, Elk county, and running southerly to intersect the Brookville and Ridgway road at a point near William H. Schram's, in Snyder township, Jefferson county: *Provided, That the powers and authority hereby given to said commissioners shall continue for five years, and no longer.*

**SECTION 2.** That when said road shall have been surveyed and located, it shall be the duty of said commissioners to make out a draft of the same, which shall be filed of record in the court of quarter sessions of the counties of Elk and Jefferson; and when so filed, said draft, and the record thereof, shall be legal evidence in all things relating to the same; and said road from thence is hereby declared to be a public road, in the same manner as other roads laid out and opened by the proper township officers.

**SECTION 3.** That said commissioners shall have power to levy and assess a tax on the unseated assessed property in the townships through which said road shall pass, for the year one thousand eight hundred and sixty, and yearly thereafter for the term of five years, not exceeding five mills on the dollar in any one year, according to the valuation for county rates and levies; which tax shall be assessed and collected in the same manner as the supervisors in said counties are authorized to do by law: *Provided, That the whole amount of tax assessed for the purposes provided in this section, and for township purposes, shall not exceed that now allowed by law.*

**SECTION 4.** That any two of the said commissioners shall be deemed a quorum, and sufficient to do anything authorized to be done by this act; and in case of the death, resignation or neglect to perform the duties required by either of said commissioners, the court of quarter sessions of Elk county shall appoint a person or persons to supply the vacancy, who shall give bond as required in the seventh section of this act.

**SECTION 5.** That said commissioners shall annually settle their accounts with the auditors of the county of Elk, and shall be allowed a reasonable compensation, not to exceed one dollar and fifty cents each per day, for the time they shall be engaged in laying out, opening and making said road.

**SECTION 6.** That the commissioners of the county of Elk are hereby authorized and required to pay to said commissioners

Commissioners.

Route.

Draft to be made out, and where filed.

Unseated assessed property, relative to taxing of.

Proviso.

Quorum.

Accounts, relative to settling of.

Expenses of locating road, relative to.

one-half the sum necessary to defray the expenses of locating said road, out of the county funds, by orders drawn on the county treasurer; and that the commissioners of Jefferson county are hereby authorized and required to pay to the aforesaid commissioners one-half the sum necessary to defray the expenses of locating said road, out of the county funds, by orders drawn on the county treasurer.

SECTION 7. That the said commissioners, before entering upon the duties of their office, shall give bond, with at least one surety, conditioned for the faithful application of all moneys received by them, and for the faithful discharge of the duties of their office; which bond shall be approved by the court of quarter sessions of the county of Elk, or by one of the judges of said county, and be noted upon the docket, and filed among the records of said court. Commissioners to give bond.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-sixth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 269.

## A N A C T

Relating to Deer in Union county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter it shall not be lawful for any person or persons to hunt, chase, pursue, kill and destroy any buck, doe or fawn, in the county of Union, except in the months of September, October and November, under the penalty of sixteen dollars, to be recovered before any justice of the peace, in the name of the commonwealth of Pennsylvania, with costs of suit, one-half of said penalty to go to the informer, and the other half to be paid into the treasury of the school fund of the township in which the offence may be committed, and on refusal of the offender or offenders to pay the same, to be levied of his or their goods and chattels; and if not sufficient goods and chattels found to satisfy the same, then such offender or offenders to be conveyed to the county jail, and there to remain not less than ten days, unless the penalty should be paid in the meantime: *Provided, That* the informer shall be a competent witness, notwithstanding he

When deer may not be destroyed.  
Proviso.

Proviso.

is entitled to half the penalty: *And provided further*, That any person or persons considering him or themselves aggrieved, shall be entitled to an appeal to the next court of common pleas, within twenty days from the rendition of the judgment.

Starting deer,  
relative to.

Proviso.

SECTION 2. That hereafter any person or persons starting any buck, doe or fawn, shall be considered the owner thereof: *Provided*, That he or they shall pursue such buck, doe or fawn, in a reasonable time, and continues such pursuit until the same is overtaken.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-sixth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 270.

## SUPPLEMENT

To an act relating to Roads and Bridges in the county of York, approved the seventeenth day of February, Anno Domini one thousand eight hundred and sixty.

Appointment of  
viewers to assess  
damages, rela-  
tive to.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That in all cases where a public road has been laid out previous to the passage of the act to which this is a supplement, it shall be the duty of the court, on any application for the appointment of viewers to assess damages occasioned by the construction thereof, to appoint three viewers, and no more; and that when more than one application is made for the assessment of damages on the same road, it shall be the duty of the court to appoint the same persons to view on each application, and one order only shall issue for the same: *Provided*, That nothing herein contained shall be so construed as to repeal the seventh section of the act of the thirteenth of June, one thousand eight hundred and thirty-six, entitled "An Act relating to roads, highways and bridges."

Proviso

Cases where pro-  
ceedings have  
been commen-  
ced, relative to.

SECTION 2. That in all cases when proceedings have been commenced by a view, and are now pending, or were pending at the time of the passage of the act to which this is a supplement, and a review or re-review shall be granted, the court shall appoint three reviewers or re-reviewers, as the case may be, and no more; and the proceedings shall be finished under the act to

which this is a supplement, and under no other act: *Provided*, *Proviso*.  
That this supplement shall only apply to the county of York.

SECTION 3. That so much of the first section of the act, entitled "An Act to extend the jurisdiction of the court of quarter sessions of York county, in the matter of a road to lead from the county hospital to the York and Wrightsville turnpike," approved the sixteenth day of February, A. D. one thousand eight hundred and sixty, as provides that all the proceedings under said act shall be entertained and exercised by said court, in accordance with the provisions of the general road laws in other cases, be and the same is hereby repealed; and it is hereby enacted that the said proceedings shall be exercised and entertained according to the act, entitled "An Act relating to roads and bridges in York county," approved the seventeenth day of February, Anno Domini one thousand eight hundred and sixty. *Repeal of certain act.* *Subject to.*

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-sixth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 271.

## A N A C T

Authorizing a Special Tax in the borough of Birmingham.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the town council of the borough of Birmingham, in the county of Allegheny, shall have power to cause to be levied and assessed on all property, trades, occupations and professions in said borough, now by law taxable for state, county or borough purposes, a special tax in addition to the taxes now authorized by law to be levied and assessed: *Provided*, That special tax shall not in any one year exceed five mills on the dollar. *Special tax to be levied.* *Proviso.*

SECTION 2. That all money raised under and by virtue of this act, shall constitute a fund for the payment of the interest of the present indebtedness of said borough of Birmingham, and after the payment of said interest, for the extinguishment of the principal of said indebtedness, and shall be exclusively appropriated to said purposes. *How tax to be appropriated*

SECTION 3. That all levies and assessments made by virtue of this act, shall be assessed and collected in the same manner as this act, shall be assessed and collected in the same manner as collected. *How assessed and collected.*

other corporate taxes are now assessed and collected in said borough, and may be included in the same or other duplicates of assessment, and when collected, shall be paid into the borough treasury, and shall be paid out under and by authority of the resolutions of the town council of said borough.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-sixth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 272.

## AN ACT

To secure Municipal Claims and Taxes in the city of Lancaster.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* in all cases in which, by act of assembly, or by force of any ordinance of the select and common councils of the city of Lancaster, now in force or hereafter to be enacted, the expense of paving or curbing any public or private street, court or alley, or any part thereof, in the city of Lancaster, or of laying, repairing or re-laying the pavements, footways or curbs of such street, court or alley, or any part thereof, has or shall become legally chargeable to the owner, occupier or person having charge of any real estate adjoining, fronting or bordering on such street, court or alley, such expenses, from the time when they shall have been incurred by the mayor, aldermen and citizens of Lancaster, shall, together with the penalty imposed by such act of assembly or ordinance of said city, become a lien upon such real estate; and in such case, or where taxes, rates or levies, lawfully imposed or assessed by the corporate authorities of said city, on real estate situated in said city, remain unpaid, it shall be lawful for the mayor, aldermen and citizens of Lancaster to file, in the court of common pleas of Lancaster county, their lien, describing the real estate upon which such expenses are chargeable, or such taxes, rates or levies shall have been assessed, and setting forth the amount of such expenses, when and how incurred, with the penalty, or the amount of such taxes, rates or levies, and for what year assessed, or all collectively; which lien shall have priority to, and be satisfied and paid before any recognizance, mortgage, judgment, debt or obligation

Expenses of curbing and paving to be lien, &c.

Lien to have priority.



to which such real estate may become subject after the passage of this act; and the mayor, aldermen and citizens aforesaid are hereby authorized to collect the amount of such lien by a writ of *scire facias* issuing out of the court of common pleas of Lancaster county, in like manner as the claims of mechanics and material-men are now collected.

SECTION 2. It shall be the duty of the prothonotary of the court of common pleas of Lancaster county to procure and keep in his office a book or docket, to be called the municipal lien docket, in which he shall cause to be entered and recorded all descriptions and designations of real estate as hereinbefore mentioned, and all claims that may be filed by virtue of this act, together with the date of filing the same, and shall cause the names of the owners of such real estate to be alphabetically indexed therein; for which services, as well as in subsequent proceedings upon such liens, he shall receive the same fees as are by law allowed him in proceedings upon the liens of mechanics and material-men.

Prothonotary to keep municipal lien docket.

SECTION 3. No tax, rate or levy hereafter to be assessed by the corporate authorities of the city of Lancaster, and no claim for expenses as described in the first section of this act, shall continue to be a lien on real estate situated in said city, after the first day of March in the year immediately succeeding that in which such tax, rate or levy shall have been assessed, or such expenses incurred, unless a statement thereof, as provided in the first section of this act, shall before that time have been filed in the court of common pleas of Lancaster county; but when so filed, such lien shall continue for the period of five years from the date of the filing thereof, and may be revived in like manner as is provided for the revival of mechanics' liens.

Continuation of lien, relative to.

SECTION 4. No lien created by this act shall affect the right of freehold in any real estate otherwise unencumbered, nor shall the lien of any mortgage upon real estate, situated in the city of Lancaster, be divested or in any way affected by any sale of the mortgaged premises under a subsequent judgment, (other than one entered upon a claim which was a lien prior to the recording of such mortgage,) by reason of any prior lien of any tax or municipal claim as hereinbefore created, where, by existing laws, the lien of such mortgage would otherwise continue: *Provided*, That the continuance of the lien of such mortgage shall not prevent the discharge of such prior liens by such sale, or their payment out of the proceeds of such sale.

Lien not to affect the right of freehold.

Proviso.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-sixth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 273.

## AN ACT

To incorporate the Milford and Zionsville Turnpike Road Company.

*SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

Commissioners. Francis N. Roeder, Jonas York, David Trumbower, John Trumbower, William Bowman, John Henry Dickenshied, Samuel Wineberger, John G. Schantz, Joseph Schantz, Jacob Schantz, Solomon Kemerer, Daniel Stoneback, Charles B. Sheimer, Charles W. Weant, or any five of them, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company by the name, style and title of the

Style. Milford and Zionsville turnpike road company, with power to locate and construct a turnpike road from the termination of the

Route. Quakertown and Spinnerstown turnpike road, at the line between the counties of Bucks and Lehigh, by way of Samuel Wineberger's mill, to Zionsville, in the county of Lehigh, subject to the provisions and restrictions of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, Anno Domini one thousand eight hundred and forty-nine, and the several supplements thereto.

Subject to.

Capital stock. *SECTION 2. That the capital stock of said company shall consist of four hundred and fifty shares, at twenty-five dollars each : Provided, That the said company may, from time to time, by a vote of its stockholders at a meeting called for that purpose, increase their capital stock so much as in their opinion may be necessary to carry out the true intent and meaning of this act.*

Proviso.

Gates and toll. *SECTION 3. That whenever said company shall have completed one and a-half miles or more of said road, they shall have the power to erect gates and receive tolls, agreeably to the conditions and restrictions of sections twelve and thirteen of the act of the twenty-sixth of January, Anno Domini one thousand eight hundred and forty-nine.*

Limitation. *SECTION 4. That if said company shall not commence the construction of said road within three years, and complete the same in three years thereafter, this act shall be null and void, except so far as may be necessary to settle up the affairs and pay the debts of said company.*

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-sixth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 274.

## A N A C T

To authorize the Town Council of the borough of Pittston, and the Supervisors of the townships of Pittston and Jenkins, in Luzerne county, to levy and collect a Special Tax.

WHEREAS, By the act of eighth of May, Anno Domini one thousand eight hundred and fifty-seven, entitled "An Act to authorize the erection of a poor house by the township of Jenkins, borough of Pittston, and township of Pittston, in the county of Luzerne," no provision was made for the payment of persons to whom the said borough of Pittston and townships were indebted for keeping of poor persons and furnishing means for their support, and all unpaid poor taxes of said borough and townships were made payable to the directors of said poor house; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the town council of the said borough of Pittston, and the supervisors of the said townships, severally, are hereby authorized and directed to levy, assess and collect, in addition to other taxes now authorized by law to be levied and collected in said borough and townships, a special money tax, sufficient to pay and satisfy the creditors of each having demands as aforesaid, to be assessed on all property and persons taxable by law in other districts for poor purposes; and the amount, or any portion thereof, so collected, to be appropriated to the payment of creditors having demands against said borough and townships as aforesaid.

SECTION 2. That the warrant or warrants for the collection of said tax shall be delivered to the person appointed for the collection of other taxes of said borough and townships severally, who shall give bond, with sufficient sureties, conditioned for the faithful performance of his duties in the collection of said taxes, and payment of the same to the treasurers of said borough and townships severally; and the treasurers shall, on receiving the moneys thus collected, pay the same to the creditors of said borough and townships entitled to receive them.

SECTION 3. Should the sum authorized to be levied and collected by the first section of this act, in any instance be insufficient to pay and discharge the said debts, a second and further levies may be made, according to the provisions aforesaid.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-sixth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 275.

## A SUPPLEMENT

To the act incorporating the Chartiers Valley Railroad Company.

Authorized to  
change location  
of road.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the president and directors of the Chartiers Valley railroad company shall have power, and they are hereby authorized to change the location of any part of the said railroad which has been heretofore located or partly constructed, and to survey, fix, mark, locate, determine and construct such new route for said road, between the borough of Washington and the city of Pittsburg, as they may deem expedient.

Time for comple-  
tion extended.

SECTION 2. That the time fixed in the act to which this is a supplement, for the completion of said railroad, is hereby extended for five years from the expiration of said time.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-sixth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 276.

## A N A C T

For the assessment and recovery of Damages upon the Delaware Division Canal.

Viewers to assess  
damages, rela-  
tive to.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the proceedings to ascertain and collect the amount of all claims for damages or other demands for which the Delaware Division canal company of Pennsylvania are liable, as purchasers of the Delaware division of the Pennsylvania canal, under the provisions of an act, approved the twenty-first day of April, Anno Domini one thousand eight hundred and fifty-eight, entitled "An Act for the sale of the state canals," shall be as follows,

viz: The court of common pleas of the proper county in which the land and property is situated, for injury to which damages are claimed, shall, on application thereto by petition, either by said company or claimant or claimants, or any one in behalf of either of said parties, appoint seven discreet and disinterested freeholders of said county, neither of whom shall be residents or owners of property upon or adjoining the line of said canal, and appoint a time, not less than twenty nor more than thirty days thereafter, for said viewers to meet, at or upon the premises where the damages are alleged to be sustained, of which time and place ten days' notice shall be given by the petitioner to the said viewers and to the other party; and the said viewers, or any five of them, having first been duly sworn or affirmed faithfully, justly and impartially to decide, and a true report make, concerning all matters and things to be submitted to them, and in relation to which they are authorized to inquire, in pursuance of the provisions of this act, and having viewed the premises, and heard the evidence in relation to the claim submitted to them, shall estimate and determine whether any, and if any, what amount of damages has been sustained, and to whom payable, and make report thereof to the said court; and if any damages be awarded, and the report be confirmed by said court, judgment shall be entered thereon; and if the amount thereof be not paid within thirty days after the entry of such judgment, execution may then issue thereon, as in other cases of debt, for the sum so awarded. Each of the said viewers shall be entitled to one dollar and fifty cents per day for every day necessarily employed in the performance of the duties herein prescribed, to be paid by the said canal company.

To be sworn.

Viewers to make report, &c.

SECTION 2. That any party or parties who may be aggrieved by the report or award of viewers appointed under the foregoing section, may at any time within thirty days after the confirmation of such report, appeal from the same to the court of common pleas by which said viewers were appointed, when the case shall be tried by a jury, as other suits in said court: *Provided*, That nothing herein contained shall interfere with any actions or proceedings in common law actions brought against the company, and now pending, to recover damages.

Award of viewers, relative to appeal from.

Provided.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-sixth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 277.

## AN ACT

To incorporate the Saucon Valley Railroad Company.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That George T. Lewis, Joseph Wharton, Samuel F. Fisher, Richard W. Leibert and Joseph Deihl, and their associates, successors and assigns, and other persons who shall become stockholders, be and they are hereby made and created a body politic and corporate, by the name and style of the Saucon Valley railroad company; and by the said name they shall and may have perpetual succession, and shall be in law capable of suing and being sued, pleading and being impleaded, in all courts and judicatories whatsoever, and also of contracting and being contracted with relative to the business and objects of the said corporation; and they may have a common seal, and may change and alter the same at pleasure, and make rules and by-laws for the regulation and management of the said corporation, consistent with the laws of this commonwealth.

Corporators.

Style.

Powers.

Capital stock.

Proviso.

May borrow money.

Route.

Injury to private property, how to be settled.

**SECTION 2.** That the capital stock of said company shall be fifteen thousand dollars, to be divided into three hundred shares of fifty dollars each; and the said company shall have the right to increase their said capital stock, from time to time, as the board of directors may deem necessary: *Provided,* That the whole capital stock shall not exceed sixty thousand dollars.

**SECTION 3.** That the said company may borrow money to an amount not exceeding sixty thousand dollars, and issue, from time to time, bonds therefor, in the corporate name and under the common seal of said company, in sums not less than one hundred dollars each, either with or without coupons attached, payable at such time, on such terms, and at such rate of interest, not exceeding twelve per centum per annum, as they may deem expedient, and to sell said bonds at a less rate than the par value thereof; and may secure the payment of said bonds and coupons by a mortgage or mortgages upon the road, property, income, revenue, tolls, and also upon the franchises and corporate privileges of the said company, with the same effect as any company incorporated in this commonwealth may or can do.

**SECTION 4.** That the said company shall have the right to build and construct a railroad, westwardly from a point on the North Pennsylvania railroad, to any mine or mines in Saucon valley, not exceeding six miles distant from the starting point; with power, also, to connect with the railroad of the Thomas iron company, at or near their iron mine, and also with the said North Pennsylvania railroad company.

**SECTION 5.** That if in the location of said road, or in the building of the same, any injury shall be done to private property, and the parties cannot agree upon the amount of compensation



to be made to the owner or person injured, the same shall be adjusted and settled according to the provisions of the eleventh section of an act, entitled "An Act regulating railroads," approved the nineteenth day of February, one thousand eight hundred and forty-nine.

SECTION 6. That the stockholders shall annually, on the second Wednesday in May, elect a president, four directors, secretary and treasurer for said company; said president shall be a member of the board of directors, and one person may hold the office of secretary and treasurer: *Provided*, That the company shall not be dissolved by the failure to elect directors on said day, but the stockholders may, at any time within sixty days thereafter, elect such directors.

Election of officers.

Proviso.

SECTION 7. That the president and directors shall procure certificates of stock, which, signed by the president and treasurer, and sealed with the corporate seal, shall be delivered to each stockholder, and which shall be transferable on the books of said company at his pleasure, in person, or by attorney duly authorized, in presence of the president, treasurer or other person appointed by the company for that purpose; subject, however, to all payments due and to become due thereon; and when such transfer shall have been made and entered upon the books of said company, the holder shall be a member of the said company; and in every election or meeting, the stockholders of the said company shall be entitled to one vote for each share of stock by him or them held.

Certificates of stock, relative to.

Votes.

SECTION 8. That if any subscriber for stock, or his assignee, shall refuse or neglect to pay any instalment called for by the said company at the place appointed, and the same shall remain unpaid for thirty days after the time appointed, he shall, in addition to the instalment called in, pay at the rate of five per centum per month for delay; and if the same shall remain unpaid so long as that this penalty shall amount to the sum actually paid in by the said subscriber or subscribers, it shall be in the power of the said company to forfeit the said stock, and the amount paid thereon, to be disposed of by the said company as will best promote their objects and interests.

Refusal to pay instalments, relative to.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-sixth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 278.

## A N A C T

To provide for the paying of Coroner's Juries in Luzerne county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* from and after the passage of this act, persons serving on a coroner's jury in the county of Luzerne, shall receive one dollar for each and every day necessarily employed on an inquest, to be paid by the treasurer of said county as other jurors are now paid.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-sixth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 279.

## A N A C T

Giving a bounty on Fox Scalps in Montour county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* from and after the passage of this act, any person or persons who may kill any fox or foxes within the county of Montour, in this commonwealth, and who shall produce the scalp or scalps, having the ears thereon, before any justice of the peace in and for said county, it shall be the duty of said justice to examine such person or persons, on oath or affirmation, touching the time when and the place where such fox or foxes was or were taken and killed; and if the same shall be found to be within the bounds of said county, it shall be the duty of such justice to certify the same to the commissioners of the county, who shall immediately draw their warrant on the county treasurer for the sum of one dollar for each and every scalp of a full grown fox, and fifty cents for those that are less than full grown, so pro-

duced; and it shall be the duty of such treasurer, and he is hereby directed, to pay the amount of said order.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-sixth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 280.

## AN ACT

To extend the act relating to Sheriff and Prothonotary costs in Luzerne county, approved the seventeenth day of February, Anno Domini one thousand eight hundred and fifty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the provisions of the act, approved the seventeenth day of February, Anno Domini one thousand eight hundred and fifty-nine, entitled "An Act relating to sheriff and prothonotary costs in Luzerne county," be and the same is hereby extended to the counties of Clearfield, Schuylkill, Perry, and city and county of Philadelphia.*

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-sixth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 281.

## A N A C T

Relative to Elections in Ohio township, Beaver county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* from and after the first day of May next, all the general, special and township elections held by the qualified electors of Ohio township, Beaver county, shall be held at the house now occupied by Jamison Elliott, in the town of Fairview, in said township; and all laws inconsistent herewith, are hereby repealed.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-sixth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 282.

## A N A C T

To incorporate the Hanover Mutual Fire Insurance Company of York county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Joseph Althoff, V. C. S. Eckert, F. M. Baughman, L. F. Melzheimer, Captain A. W. Eichelberger, Jacob Wirt, Jacob Young, George Eichelberger, F. E. Metzger, Jacob Forney, Peter Flickinger, William Grumbine, George Thomas, Samuel Diller, Stephen Keefer, David M. Myers, Vincent Obold, George Young, George Slagle, John Robenstine, Isaac Loucks, Daniel S. Barnitz, Samuel Swartz and Peter Driver, of York and Adams counties, are hereby appointed commissioners, any nine of whom are authorized and empowered, from and after the passage of this act, to establish an insurance company, by the name, style and title of the Hanover mutual fire insurance company of York county, to be located in the borough of Hanover, York county;

which said company shall be organized and managed according to the provisions of an act to provide for the incorporation of insurance companies, approved the second day of April, Anno Domini one thousand eight hundred and fifty-six, and shall be limited to the risks designated in the first class, in the seventh section of said act, and shall transact its business upon the mutual principle.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twelfth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 283.

## A N A C T

To sell and convey certain Real Estate in Amity township, Berks county.

WHEREAS, George Douglass, late of Amity township, Berks county, deceased, did in his lifetime give a certain lot of ground, situate in the village of Douglassville, Amity township, aforesaid, for the erection and construction of a school house for general education, upon which the citizens of said Douglassville and vicinity did, by voluntary contributions during the lifetime of said George Douglass, erect and construct a school building, but neglected having a title made to them at the time:

*And whereas,* The said school building has now become dilapidated, having been occupied as a school house for educational purposes for upwards of twenty-eight years; it is therefore desired by the parties interested, that the said school building and lot of ground should be sold to the school directors of Amity township school district, for the use of public schools; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Solomon L. Custer be and he is hereby authorized, as the only surviving trustee, to sell the above described school building and lot of ground, with the appurtenances, situate in the said village of Douglassville, to the school directors of Amity school district aforesaid, for the sum of two hundred and fifty dollars, and to make, execute and deliver to the purchasers thereof a deed in fee simple for said premises, and apply the purchase money thereof as payment in full of a claim held by Henry M'Kenty,

## LAWS OF PENNSYLVANIA,

of said Douglassville, for work and labor done and materials furnished in the erection and construction of said school house.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 284.

## A N A C T

To exempt from taxation the Church Home for Children, in Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the real estate of the "Church Home for Children," situate at the north-east corner of Pine and Twenty-second streets, in the city of Philadelphia, be and the same is hereby exempted from taxation so long as the same shall continue to be exclusively occupied by the said corporation for the purposes mentioned in the constitution thereof.*

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 285.

## A N A C T

Relative to the Cottage Building Association.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*



the proviso to the fourth section of an act, entitled "A supplement to an act, entitled 'An Act to prevent waste in certain cases within this commonwealth,' et cetera, approved April twenty-second, one thousand eight hundred and fifty," be repealed, so far as the same affects the Cottage building association, chartered by decree of the court of common pleas of the city and county of Philadelphia, on the tenth day of March, one thousand eight hundred and fifty-four, recorded in the office for recording deeds, et cetera, for said city and county, in miscellaneous book T H, number one, page eighty-eight, et cetera, under the title of the Cottage building company at Beverly, which title has since been changed, by virtue of a decree of said court of common pleas, to that of the "Cottage building association," and the charter so granted is hereby confirmed.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 286.

## AN ACT

Authorizing the return of certain Taxes in M'Calmont township, in the county of Jefferson.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the collector of taxes for the year one thousand eight hundred and fifty-seven, for the township of M'Calmont, in the county of Jefferson, be and is hereby authorized to return to the commissioners of said county, for collection, any seated or unseated taxes for said year not heretofore returned.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 287.

## A N A C T

To confer on Myron Barnes, of Susquehanna county, all the rights and privileges of a Child born in lawful wedlock.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Myron Barnes, an illegitimate child of Mary D. Barnes, of Susquehanna county, shall have and enjoy all the rights and privileges of a child born in lawful wedlock, and shall be able and capable in law to inherit and transmit any estate whatever, as fully and effectually as if he had been born in lawful wedlock.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 288.

## A N A C T

Relative to Auctions, et cetera, within the county of Lawrence.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* it shall be unlawful to bring any books, goods, wares or merchandize into the county of Lawrence, to be sold at auction, or to sell at auction any goods brought into said county for the purpose of being sold at auction.

Unlawful to sell  
certain goods at  
auction.

Unlawful to dis-  
pose of by gift  
enterprises.

Penalty.

SECTION 2. That it shall be unlawful for any person to sell or retail, or dispose of within said county, any books, goods, wares or merchandize by the method usually known as gift enterprises.

SECTION 3. That any violation of any of the foregoing sections shall be punished by a fine of not less than ten dollars for every day on which such violation shall occur, to be recovered by action of debt, one-half for the use of the school district in

which suit shall be commenced, and the other half for the use of the prosecutor.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 289.

## A N A C T

To authorize the Trustees of Christ's Church, of the borough of Middletown, in the county of Dauphin, to convey certain Real Estate.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the trustees of Christ's church, of the borough of Middletown, in the county of Dauphin, be and they are hereby authorized and empowered, at any time or times hereafter, to grant, bargain and sell, all or any part or parts of all that certain lot of ground, with the buildings thereon erected, fronting on Water street, sixty feet, and extending in depth and right angles to said street, two hundred feet on Duck street, belonging to the said church, at public or private sale, in fee simple or for any other estate, and upon such terms and conditions as they may deem proper, and to convey and assure the premises and hereditaments so sold, with the appurtenances thereunto belonging, to the purchaser or purchasers thereof, in fee simple or otherwise, as the case may be, free, clear and discharged of and from all and every the trusts, estates, limitations and conditions, expressed or contained in the indentures or legal assurances relating thereto, at any time heretofore made, and so that the said purchasers shall take and hold the said premises so conveyed to them, without any limitations or liability on their part to see to the application of the purchase money; and such conveyance or conveyances shall vest a perfect and indefeasible title to the premises, so sold and conveyed, in the purchasers thereof.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 290.

## SUPPLEMENT

To the Locust Gap Improvement Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the provisions of the act of the twenty-first of April, one thousand eight hundred and fifty-four, and the supplements thereto, entitled "An Act to enable joint tenants and tenants in common, and adjoining owners of mineral lands in this commonwealth, to manage and develop the same," shall be and are hereby extended to the Locust Gap improvement company, with the right and privilege to reduce the capital stock of said company to any amount not less than one hundred and fifty thousand dollars, and to rate the shares to correspond with the same.*

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 291.

## AN ACT

Relative to the Pittsburg, Fort Wayne and Chicago Railroad.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the auditor general and state treasurer be and they are hereby authorized and required to open and re-adjust the account between the commonwealth and the Pittsburg, Fort Wayne and Chicago railroad company, for tax on capital stock; that in re-adjusting the said account, the dividends which were made in stock (if any) shall be reduced to their value in cash at the time they were severally declared, and the tax for the years in which they were made, shall be regulated in accordance with such cash value: Provided, The cash value of said stock divi-*

dends, as well as the value of the capital stock of the company, for each of the other years embraced in said account, shall be established by the certificate of at least two reputable citizens of Pennsylvania, and the president of said company: *Provided further*, That in the adjustment of said accounts, in accordance with the provisions of this act, the said company shall pay into the treasury of this commonwealth, a sum not less than five thousand dollars.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 292.

## AN ACT

Regulating the Inspection of Pickled Fish, and to prevent fraud in the vending of the same.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the governor shall appoint, for the term of one year, an inspector of pickled fish in and for this commonwealth, who shall give a bond, with sufficient sureties, to the treasurer of the state of Pennsylvania, in the penal sum of ten thousand dollars, who shall have all and singular the powers and authorities, and be subject to all and singular the duties and liabilities of such office. Inspector appointed.

SECTION 2. That said inspector may appoint deputy inspectors for the city and county of Philadelphia, and in such other cities or towns in this commonwealth where pickled fish is packed or re-packed, and shall be answerable for their official conduct, and shall take bonds from each of them, with sufficient surety, in such sum as shall be judged sufficient; and the said deputies shall be sworn, either before the said inspector, or some alderman or justice of the peace, to the faithful discharge of their duty. Deputy inspectors.

SECTION 3. That pickled fish which shall have been duly inspected in the state or country in which they were packed, shall not be subject to re-inspection in this state: *Provided*, That such fish are sold or exported in the original packages, without having been re-packed. Re-inspection. Proviso.

SECTION 4. That from and after this act shall go into effect, the inspector or his deputies shall see that all kinds of split Duty of inspector and deputies.

- Pickled fish for barreling or re-packing, intended for sale or export, except herring, haddock, pollock or codfish, have been well struck with salt or pickle in the first instance, and preserved sweet, free from rust, taint or damage; and such fish as shall be found in good order, and of a good quality, shall be packed or re-packed in tierces containing each three hundred pounds of fish, or in barrels containing each two hundred pounds, or in half barrels containing each one hundred pounds, or in quarter barrels containing each fifty pounds, or in eighths of a barrel or kids, twenty-five pounds; each cask shall be filled with fish of one and the same kind; and if any person shall intermix, take out or shift any inspected fish which have been packed or branded agreeably to the provisions of this act, or put in other fish for sale or exportation, contrary to the true intent and meaning of the provisions of the same, such person shall forfeit fifteen dollars for each package so altered: *Provided however*, That if any casualty shall render it necessary to re-pack a cask of inspected fish, it shall in all cases be done by an inspector of such fish.
- Packing and re-packing.** SECTION 5. That all fish that shall be packed or re-packed in accordance with the fourth section of this act, shall be so packed or re-packed with good and clean salt, suitable for the purpose; and after packing said fish with sufficient salt to preserve them, and heading said casks, they shall be filled up with a clear, strong pickle.
- How much each package to contain** SECTION 6. There shall be four qualities of mackerel, three of salmon and shad, and two of other kinds of pickled fish; those mackerel of best quality, for family use, not mutilated, measuring not less than thirteen inches from the extremity of the head to the crotch or fork of the tail, free from rust, taint or damage, shall be branded number one; the next best quality, being not less than eleven inches, measuring as aforesaid, free from rust, taint or damage, shall be branded number two; those that remain after the above selections, that are free from rust, taint or damage, shall be branded number three, large; those of the next inferior quality, free from taint or damage, not less than ten inches in length as aforesaid, shall be branded number three; all other mackerel, free from taint or damage, shall be branded number four.
- Proviso.** SECTION 7. That those salmon and shad which are of the best quality, for family use, free from rust, taint or damage, shall be selected for number one and number two; the best of them selected and branded number one, the residue number two; all that remain, free from taint, and sound, shall be branded number three.
- Relative to packing and re-packing.** SECTION 8. That all casks used for packing or re-packing pickled fish, intended for sale or exportation, shall be made of sound, well-seasoned white oak, ash, red oak, spruce pine or chestnut staves, of rift timber, with heading of either of said kinds of wood, and if of pine, shall also be free from sap and knots, and shall be planed; the barrels, half barrels and tierces shall be well hooped, with at least three good hoops of sufficient substance on each bilge, and three hoops of the like quality on each chime; the barrel staves shall be twenty-eight inches in length, and the heads shall be seventeen inches between the
- Number of qualities of fish.**
- Salmon and shad**
- Quality and size of casks.**



chimes; the barrels shall contain not less than twenty-eight gallons, nor more than thirty gallons each, the half barrels not less than fifteen gallons each, and the tierces not less than forty-five nor more than forty-six gallons; and each cask shall be made in a workmanlike manner.

SECTION 9. That the inspector or his deputies shall strictly examine and inspect all casks in which he or they may be required to pack any fish, and they shall reject all such as are not made in a substantial manner, and according to the provisions of this act. Inspection of casks.

SECTION 10. That the inspector or his deputies shall brand, in plain, legible letters, on the head of each cask of fish inspected by them, or either of them, respectively, the denomination of the fish packed or re-packed therein, the initials of the Christian name, and the whole of the surname of the inspector or his deputy, as the case may be, the name of the city or town for which such deputy is appointed, the letters Penn, (for Pennsylvania,) and the year in which the fish are packed. All fish of foreign catch which shall be brought into this state, and which shall be re-packed, shall be inspected or re-inspected, and in addition to the brand as required by this act, shall be branded with the word foreign on the head of each cask containing such inspected or re-inspected fish, in letters not less than one inch in length, and separate and distinct from the other brands. Branding of casks.

SECTION 11. That the fees for inspecting and branding, exclusive of cooperage, shall be for each tierce, twelve cents; each barrel, eight cents; each half barrel, five cents; each cask of any smaller denomination, three cents; and in addition to the fees aforesaid, one cent for each cask that shall be nailed, which shall be done in a suitable manner, when in their judgment it may be necessary. Fees.

SECTION 12. That if any pickled fish which have been re-packed, and not inspected or re-inspected, and branded according to the provisions of this act, shall be put on board of any boat or vessel, or into any carriage of conveyance, with intent that the same shall be sold within or exported from this state, the inspector, or any deputy, may seize and libel the same; and if upon trial it shall appear that such seizure was lawful, the fish so seized shall be decreed to be forfeited, and shall be sold and disposed of at public sale to the highest bidder; and the net proceeds, after paying the necessary expenses, shall be paid as follows: One-half to the overseers or guardians of the poor in the county where seized, and the other one-half to the inspector or his deputy, who shall have caused the same to have been seized. Re-packed fish, relative to.

SECTION 13. That if any person or persons shall sell within this state, or shall export therefrom, any pickled fish which have been packed or re-packed therein, and not duly inspected according to the provisions of this act, shall forfeit the sum of ten dollars for every hundred pounds of such fish thus sold or exported, to be recovered in any court of this state having competent jurisdiction. Any person using a brand for the purpose of branding casks of fish, in imitation of those used by the inspector or his deputies, or in imitation of those used by the inspectors or their deputies in other states or foreign countries, or who shall coun- Selling or exporting without being inspected.

Counterfeit brands, relative to.

terfeit, forge or fraudulently impress, or make the brand mark, or any number or other mark of any such inspection, upon any cask of fish subject to inspection, or shall fraudulently alter, deface, conceal or erase any inspection mark duly made, shall, for every such offence, be deemed guilty of a misdemeanor, and be punishable by a fine not exceeding one hundred dollars, at the discretion of the court having jurisdiction of the offence.

Fine, &c.

Repeal.

SECTION 14. That all the acts heretofore in force regulating the inspection of salted or pickled fish, which are inconsistent herewith, be and the same are hereby repealed.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 293.

## AN ACT

Relating to the Estate of Mary M. Ellicott, late of Chester county, deceased.

Preamble.

WHEREAS, Thomas Ellicott, and Mary M., his wife, formerly of Avondale, in the county of Chester, and state of Pennsylvania, by indenture dated the seventeenth day of March, Anno Domini one thousand eight hundred and forty-three, recorded at West Chester, in miscellaneous deed book number eight, page five hundred and sixty, did grant and convey certain land, messuages and premises as therein described, situate in New Garden and Londongrove townships, in said county of Chester, unto Eli K. Price, of the city of Philadelphia, in fee, in trust for the said Mary M. Ellicott for her life, and from and after her decease, in trusts for such persons, estates and uses as she should, by any last will and testament in writing, direct, limit and appoint:

*And whereas,* The said Mary M. Ellicott, in pursuance and execution of said power of appointment, did by her last will in writing, dated the seventeenth day of March, Anno Domini one thousand eight hundred and forty-three, duly proved and registered at West Chester, devise, limit, and appoint all the said estate and property to her husband, Thomas Ellicott, in trust for the maintenance and support of himself and her unmarried children during his life, and that at his decease, the said estate should be divided into eight equal and separate parts, and one of such equal separate parts should be conveyed by said

trustee, to each of her children, certain of said shares under the limitation and restriction therein set forth :

*And whereas,* The said Thomas Ellicott has recently departed this life, whereby the said devisees are entitled to a conveyance from said trustee of said estate, as provided in said will :

*And whereas,* In the opinion of all the said devisees, it is inexpedient and unadvisable to divide the estate, and convey it in such divided parts as the said will directs ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall and may be lawful for the said Eli K. Price, trustee, or any successor to him in said trust, and he is hereby authorized and empowered to convey the said estate and premises held by him in trust, as one entire and undivided property, (and not in separate shares and parcels,) to the said devisees or appointees, under the will of said Mary M. Ellicott, to hold to them undivided as tenants in common, for the same estates and uses as are set out in said will, or to their devisees or assigns, according to their present respective rights and titles therein, and that the shares therein devised in trust for the sole and separate use of the daughters of said Thomas and Mary M. Ellicott, be conveyed by said Eli K. Price to William M. Ellicott, who has been by them selected as their trustee, to be held by him upon the trusts set forth in said will.

Trustee empowered to convey to William M. Ellicott.

SECTION 2. That it shall and may be lawful for any trustee of the shares of said estate, held in trust for any of the daughters of said Thomas and Mary M. Ellicott, to make sale, either publicly or privately of the same, and by sufficient deeds therefor, to grant and convey the same to the purchaser in fee or for any less estate, freed, cleared and discharged of all trusts: *Provided however,* Before receiving the purchase money, they shall give security for the faithful application of the same, according to the trusts and limitations thereof, satisfactory to the orphans' court of Chester county, in such amount as said court may deem sufficient.

Authorized to sell either at public or private sale.

Proviso.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-sixth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 294.

## AN ACT

To exempt the Old Columbia Public Ground Company from the payment of certain taxes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* from and after the passage of this act, the Old Columbia public ground company of the borough of Columbia, Lancaster county, shall not be required to pay any school or borough taxes, but shall be exempt from such taxes, and also from any such taxes heretofore assessed and not paid.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 295.

## A FURTHER SUPPLEMENT

To the act to provide for the erection of a House for the Employment and Support of the Poor of the county of Bedford, approved thirty-first March, one thousand eight hundred and forty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the court of quarter sessions of the county of Bedford, having first obtained the approbation of the grand jury, shall have authority to appoint five commissioners to advertise and receive proposals for, and to sell at public sale, all the real estate and appurtenances known as the poor house property, and now held by the directors of the poor of said county of Bedford, at such time and on such terms as may, in the discretion of said commissioners, be considered most advantageous; and, with the approval of said court, to make, execute and deliver deeds therefor to the purchaser or purchasers thereof, in fee simple.

Poor house property to be sold.

SECTION 2. That said commissioners are hereby further authorized and empowered, with the proceeds of said sale or sales, to purchase, in their own names, for the use of said county of Bedford, such other real estate in said county as may, in the opinion of said commissioners, be best calculated to accommodate the poor of said county, with full power to erect, or cause to be erected and constructed, all such buildings and improvements as said commissioners may deem necessary for the proper and comfortable maintenance and support of the poor of said county.

Other real estate to be purchased.

SECTION 3. That in the event of the consideration of said purchase exceeding the proceeds of the sale hereinbefore authorized, the county commissioners of said county, on notice of the fact from the commissioners appointed by this act, shall provide and pay over to said last named commissioners the amount of said excess.

Excess of purchase, how paid

SECTION 4. That the aforesaid sale and purchase and erection of improvements, should any be needed, shall be so conducted as that the property purchased shall be ready for the use and occupancy of the poor before they shall be required to leave the premises now occupied by them.

Sale, purchase and erection, how conducted.

SECTION 5. That the said commissioners shall proceed to do and perform the several matters and things herein authorized and directed, as soon after their appointment by said court as practicable; and when the premises authorized to be purchased shall be ready for occupancy, the directors of the poor of said county, for the time being, shall, on three months' notice from said commissioners, deliver up possession of the present poor house property to the purchaser or purchasers thereof, and remove the poor, and all the personal property belonging to the establishment, to the premises prepared for them by said commissioners; and the said commissioners, for a nominal consideration, shall thereupon convey to the said directors of the poor, or their successors, in fee simple, all the right and title to the real estate and appurtenances so purchased by them as aforesaid, and shall also transfer to said directors all obligations and securities for money which they may then hold as commissioners aforesaid.

When premises to be delivered to purchaser.

Conveyance of real estate.

SECTION 6. That all matters and things whatsoever, directed to be done and performed by said commissioners by the provisions of this act, may be subject to the approval of said court, or a judge thereof, done and performed by a majority of them, or by a majority of the survivors of them, in case of the death of any of them; and the provisions of this act shall be and remain in full force for the term of three years, and no longer.

Duties of commissioners, subject to the approval of court.

SECTION 7. That said commissioners shall give a joint and several judgment bond to the county of Bedford, in the sum of ten thousand dollars, conditioned for the faithful performance of their duties under this act; and the commissioners of said county are hereby authorized and required to enter satisfaction on said bond, whenever, in their opinion, the duties of said obligors shall have been satisfactorily done and performed; and the commissioners hereby appointed shall receive the sum of one dollar and fifty cents each per day, for all time necessarily spent in the discharge of their duties, to be paid out of the

To give bond.

Compensation.

## LAWS OF PENNSYLVANIA,

county treasury, on checks drawn by the county commissioners for that purpose.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 296.

## SUPPLEMENT

To an act to empower John Ransom to put a Sheer Boom in the Loyalsock creek.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the name in the original act of twenty-ninth March, one thousand eight hundred and fifty-nine, be so amended to John Ransom, and the powers therein contained are hereby extended to the said John Ransom, his associates and assigns.*

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 297.

## AN ACT

For the Payment of certain Moneys to James Bell.

WHEREAS, The officers for the commonwealth on the Allegheny Portage railroad, measured and used on said railroad,



three hundred and eighty-seven and a half cords of wood, belonging to James Bell, during the year one thousand eight hundred and fifty-five, which has not been paid him; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be and is hereby authorized and required to pay to the said James Bell, out of any moneys in the state treasury not otherwise appropriated, the sum of six hundred and sixty-six dollars and sixty-two cents, being the price of three hundred and eighty-seven and a half cords of wood.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 298.

## A N A C T

To declare a portion of Yellow creek, in Indiana county, a Public Highway.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Yellow creek, in the county of Indiana, be and the same is hereby declared to be a public highway from its mouth to the forks of the said creek, near the line of Brush Valley and Pine townships, in said county: *Provided,* That where schutes are required on dams already erected on said creek, said schutes shall be constructed by and at the expense of persons desirous to use said creek as a public highway, and in such manner as to do no injury or damage to any owner or owners of any dam or dams on said creek.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 299.

## AN ACT

To provide for the collection of additional Taxes in the townships of Hebron, Roulette and Harrison, in Potter county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the road supervisors of the townships of Hebron, Roulette and Harrison, in the county of Potter, be and they are hereby authorized and empowered, in addition to the tax now authorized by law to be assessed and collected in said townships, to levy and collect an additional tax, not exceeding one per centum in any one year on the last adjusted valuation of property in said townships for county purposes, the same to be levied and collected in manner as is now provided by law for the levying of taxes in said townships, the same to be appropriated in making roads and bridges in said townships.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 300.

## AN ACT

To incorporate the Macungie Institute and High School for Males and Females.

Corporators.

Style.

Powers.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Aaron Erdman, John Mattern, Doctor Samuel Kittenhouse, Charles Foster, James Singmaster and Peter Haas, and their successors, and persons who now are or hereafter may be associated with them, be and they are hereby created and erected into a body corporate and politic, in deed and in law, by the name, style and title of the Macungie institute and high school association, in and near the borough of Millerstown, Lehigh county, Pennsylvania, and by that name may have perpetual succession, may sue and be sued, plead and be impleaded in any

court of law or equity, and to take and hold to them and their successors, either by grant, gift, or devise or lease, any lands or real estate, for the purpose of erecting thereon all suitable buildings for the use of said association, any goods or chattels, sum or sums of money, by gift, grant, bargain, sale, will or bequest from any person or persons whomsoever, capable of making the same, and to have the power to borrow money in sums not exceeding one thousand dollars, and to issue their notes or bonds for the same; said notes or bonds to be signed by the president and treasurer of the said association, payable at a fixed term or time, and the legal rate of interest; said notes or bonds so issued shall be and remain a lien on the real estate of the said association until paid; and also to have power to sell and dispose of all real and personal estate, at public vendue or outcry, to pay and satisfy the debts of said association, now or hereafter contracted, should it become necessary: *Provided*, That no note or bond shall be issued for a less sum than one hundred dollars.

May borrow money.

Proviso.

SECTION 2. That each share of stock shall be valued at twenty-five dollars, and shall entitle the holder to one vote for every share of stock held by him, her or them, in person or by proxy.

Stock.

SECTION 3. That the election of said officers above named in section first, held on the twelfth day of March last past, in pursuance of a notice of said association, is hereby legalized and confirmed; and the said officers shall hold their offices for the terms for which they were respectively elected, and until their successors are regularly elected or appointed.

Election of officers.

SECTION 4. That the stockholders shall hereafter annually meet on the fourth Saturday of May in each and every year, in the building of the association, ten days' notice having been given, for the purpose of electing, by ballot, one president, secretary and treasurer, who shall hold their offices for the term of two years, and four trustees, who shall divide themselves into two classes; the seats of the first class shall be vacant at the end of one year, the second or last class at the end of two years, so that the one-half of the trustees shall be chosen annually hereafter.

Meeting of stockholders.

Officers and election of.

SECTION 5. That the trustees shall have power to fill vacancies created by death or otherwise, until the next annual election.

Vacancies.

SECTION 6. That the said association shall have power to ordain, establish and put in execution such by-laws as a majority of the stockholders present at the annual election may agree on, as shall appear necessary or convenient for the government of said corporation, and not being contrary to the constitution and laws of the United States, or of this commonwealth, and generally to do all and singular the matters and things which to them it shall lawfully appertain to do for the well-being of said corporation, and the due ordering and managing of the affairs thereof.

By-laws.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 301.

## A FURTHER SUPPLEMENT

To an act, entitled "An Act to authorize the erection of a Poor House by the township of Jenkins, borough of Pittston, and township of Pittston, in the county of Luzerne," approved May eighth, one thousand eight hundred and fifty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the township of Lackawanna, in the county of Luzerne, be and is hereby annexed to and made a part of the district for the support of the poor named in the act to which this is a supplement; but before the said township of Lackawanna shall be entitled to the privileges of the said act, the overseers of the poor therein shall secure, to the satisfaction of the directors of the poor of Jenkins township, Pittston borough and Pittston township, such sum of money as would be the proportionate share of the said township of Lackawanna of the money already expended by the said directors in the purchase of land, and other improvements made thereon, as well as for money expended in finishing their poor house, and for stock on their farm; such proportionate share shall be ascertained upon the basis of the assessed valuation of property made taxable by law in each district, for the year one thousand eight hundred and fifty-nine; when such sum, so to be paid by the said township of Lackawanna, shall be ascertained and satisfactorily secured, the said township shall be entitled to all the immunities and privileges enjoyed by the present corporation, as named in the said recited act; but no part of the present poor funds of the said township of Lackawanna shall be paid over to the said corporation, that being expressly reserved to the said township of Lackawanna; and for the purpose of raising money to enable the said township of Lackawanna to pay the sum ascertained to be her share of the expenditures aforesaid, the overseers of the poor thereof are hereby authorized and empowered to assess, levy and collect a tax for that purpose.

Lackawanna township made part of the district for the support of the poor, &c.

Conditions.

Terms and expiration of office of directors.

Election for director.

SECTION 2. That the term of office of Joseph P. Schooley, one of the present directors, is hereby extended two years from the annual March election in one thousand eight hundred and sixty-one; the term of office of M. L. Everitt, also a director, shall be extended one year from the annual March election in one thousand eight hundred and sixty-one; that John Stewart, of the township of Lackawanna, is hereby constituted a director, to take effect from the annual March election in one thousand eight hundred and sixty-one, and to be continued three years thereafter, subject to the compliance of the said township of Lackawanna, heretofore named; that at the annual March election in one thousand eight hundred and sixty-two, a director of the poor shall be elected for three years, and annually thereafter

one shall be elected for three years; the qualified voters of the said borough and each of the townships shall vote for directors, but the said borough, nor any one of the said townships, shall have more than one director; on Monday following the election for directors, the judge of election of the said borough and each township shall meet at the Eagle hotel, in the borough of Pittston, and shall sum up the votes cast for directors, and give a certificate, under their hands and seals, to the person who shall have the highest number of votes cast, and also make out a duplicate, which they shall hand over to the board of directors, and which, together with the tally papers and certificate of returns, shall be filed among the papers of the board of directors; but if the person having the highest number of votes shall reside in the said borough, or any one of the said townships which at the time may have a director in the board, in such case the certificate shall be delivered to the person having the next highest number of votes, and who is not resident in a district having a director in the board; so much of the act to which this is a supplement, providing that the township of Jenkins, and borough and township of Pittston, shall each have a director, is hereby repealed.

Judges of election, when and where to meet.

Returns and tally papers, relative to.

SECTION 3. That the court of quarter sessions shall hear and determine all cases of contested elections for directors under this act, in the same manner as now provided by law in the case of overseers of the poor.

Contested elections.

SECTION 4. That the accounts of the directors of the poor, under this and the act to which it is supplemental, shall be audited in the following manner, that is to say: the senior auditor of the borough of Pittston, and of each of the townships embraced in this act, as well as the act to which it is a supplement, shall meet annually at the Eagle hotel, in the borough of Pittston, on or before the first Monday of May, and audit the accounts of the directors of the poor of the district; one copy whereof, signed by the auditors, or a majority of them, shall be filed in the office of the said directors, and another in the court of quarter sessions of Luzerne county; a majority of the said auditors shall comprise a quorum for the transaction of business.

Accounts, how audited.

SECTION 5. That all laws hereby supplied, or with which the foregoing is inconsistent, are hereby repealed.

Repeal.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 302.

## A SUPPLEMENT

To an act for the reformation and employment of Vagrants, Drunkards and other disorderly Persons in the county of Allegheny, approved the thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the board of managers in said act mentioned, shall have power, and they are hereby authorized to purchase any quantity of land, not exceeding one hundred acres, within the county of Allegheny, on which to erect the buildings provided for in said act, and to improve and cultivate the same, in such a manner as shall best promote the interests of the institution and the welfare of its inmates; the provisions of the sixteenth section of the act to which this is a supplement, shall be applied to the purchase of the land herein provided for.

Authority to purchase land, &c.

The kind of persons to be received.

Proviso.

Commitment and discharge, relative to.

SECTION 2. That the superintendent may receive, under such regulations as the managers may prescribe, any person or persons of intemperate habits, who may make application for admission: *Provided,* That all expenses shall be paid by the party making such application.

SECTION 3. That whenever any citizen of Allegheny county shall hereafter, by due course of law, be found to be a habitual drunkard, it shall be lawful for the court of quarter sessions of said county to commit such person to the house of reformation and industry, for a period not less than six months, nor more than two years; but the said court shall have power to modify such commitment, or discharge such person, whenever in the exercise of a sound discretion it may be deemed advisable to do so; and if after the discharge of such person, he or she shall relapse into his or her former habits of intemperance, satisfactory proof of that fact being produced to the court, the like proceedings may be had as in the first instance, and so on after his or her second discharge as often as the said party shall so relapse.

Expenses of keeping, relative to.

SECTION 4. That if any person committed under this act, or the act to which this is a supplement, shall be of sufficient ability to pay the expenses of his keeping, without injury to his family, or if such person shall have parents or children of sufficient ability to pay the same without injury to them respectively, the said court is hereby authorized to make an order, directing the amount to be paid at such times and in such manner, as shall be deemed just and equitable, and such order may be entered of record in the court of common pleas, and from the date of such entry, shall have all the force and effect of a judgment obtained in that court, and its payment may be enforced by execution as in other cases.



SECTION 5. That the managers of said house of reformation Terms of office. and industry shall hold their offices from the first Monday of April, instead of the second Monday of July, as provided in said act.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 303.

## A N A C T

To empower the School Directors of the borough of Millersburg, in the county of Dauphin, to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the school directors of the borough of Millersburg, in the county of Dauphin, to borrow any sum of money, not exceeding five thousand dollars, at a rate of interest not exceeding six per centum per annum, to be applied to the erection of a new school house in said borough, and to give to the lenders thereof transferable bonds therefor, in sums not less than one hundred nor more than one thousand dollars, payable within ten years from the second day of July next, with coupons attached thereto for the payment of the interest which shall fall due thereon, payable to the bearer thereof half yearly, on the second day of January and July, in each and every year. The said bonds in the hands of the holders shall, at all times, be clear and discharged from all taxes and assessments of every kind and nature whatsoever, and may be assigned from time to time by the holders thereof by endorsement thereon.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 304.

## AN ACT

To incorporate the West Philadelphia Market Company.

Corporators.

Style.

Location.

Objects.

Proviso.

Capital stock.

Government and  
control, relative  
to.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Thomas T. Butcher, J. Henry Askin, William P. Harnon, Edward H. Miles and Charles B. Truitt, and all their associates, and all persons who may now or hereafter be holders of the stock hereinafter mentioned, shall be and they are hereby declared to be constituted a body politic or corporate, by the style of the West Philadelphia market company, to have perpetual succession, to be capable in law of suing and being sued, to have a common seal, and the same to alter and renew at pleasure, and to have, hold, receive, enjoy and take, in fee simple or upon ground rent, such real and also such personal estate as may by them be deemed necessary and proper for the ownership, and for the construction and for the proper use, management and maintenance of a market house in the Twenty-fourth ward, city of Philadelphia, for the accommodation and use of any parties who may be desirous of renting and occupying the same, with full power to sell, mortgage, create the necessary ground rent deeds, or convey the said real and personal estate.

SECTION 2. That the object and purpose of said corporation shall be to erect and maintain suitable building or buildings and stalls, with all things necessary for the use thereof, at any place within the limits of the Twenty-fourth ward, city of Philadelphia, the same to be appropriated and used as a public market house, for the sale and vending of meats and vegetables, and all other kinds of victuals and provisions whatever, and such other edible as the board of managers may deem proper: *Provided*, That all farmers, wherever resident, shall have all the rights, privileges and immunities, in renting stalls and selling produce therefrom, that is or may be granted to any citizen of Philadelphia or elsewhere. The said market buildings, the stalls, or any one or more or all of the same, to be leased, rented or disposed of in such manner and upon such terms and conditions as the managers shall determine.

SECTION 3. That the capital stock of said corporation shall not exceed fifty thousand dollars, divided into one thousand shares, of fifty dollars each, and shall be in such form and be issued and transferred in accordance with such by-laws as the said managers may establish.

SECTION 4. That the government and control of the West Philadelphia market company, and the management of its property, shall be vested in, and the corporate powers of said company shall be exercised by, a board of seven managers, who shall be elected, by ballot, from among the stockholders;

they shall continue in office until their successors be elected; they shall elect a president, secretary and treasurer from among themselves; shall supply all vacancies in their number, however occasioned, and shall have the general and entire control of the affairs and interest of the company; and that until other officers be duly elected, the persons named in the first section of this act shall be held to be managers of the said corporation, and shall have power and authority as such.

SECTION 5. That a general meeting of stockholders shall be held annually on the first Thursday of January, at ten o'clock, A. M., for the election of five managers, and the transaction of other business; but if such meeting or election shall not then take place, the corporation shall not, for that cause, be dissolved, but such meeting or election shall take place as soon thereafter as may be, one week's public notice of such meeting being first given; and special meetings of the stockholders shall be called and held as may be provided by the by-laws for the government of the corporation and its officers, and in the election of officers, and the decision of all questions, and at all meetings of the stockholders present, either in person or by proxy, shall severally vote one for each share of stock held by them; and the privileges hereby granted shall not extend for a period longer than thirty years, unless otherwise provided for by the legislature of this commonwealth.

Annual election  
of managers.

Limitation.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-fourth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 305.

## A N A C T

To incorporate the Philadelphia Steamboat Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That James P. Michellon, Charles S. Wayne, Jesse W. Starr, George Mitchell, Joseph R. Flanigen, John F. Starr, Edward Irwin, William Eckfeldt, William A. Babcock, James S. Pringle, D. H. Loudenslager, Stillwell S. Bishop and Robert P. King, and their associates, and all other persons who shall become subscribers and owners of the capital stock hereby created, shall be, and*

Corporators.

Name.	they and their successors are hereby made and declared to be a corporation and body politic, by the name of the Philadelphia steamboat company.
Capital stock.	SECTION 2. That the capital stock of said company shall be one hundred and fifty thousand dollars, divided into shares of fifty dollars each, and shall be subscribed for and paid in at such time or times, and in such manner, and in such instalments, as the said corporation, by their by-laws or otherwise, direct; but no subscription shall be received, unless the sum of five dollars per share is paid thereon at the time of subscribing.
Shall be deemed personal property.	SECTION 3. That the capital stock of the said company shall be deemed and considered personal property, and shall be transferable in such manner as the by-laws of said company may direct; every share of stock shall be entitled to one vote by the holder thereof, which may be given in person or by proxy; and the board of directors of said company may at any time hereafter increase their capital stock to any amount not exceeding two hundred and fifty thousand dollars.
Management.	SECTION 4. That the affairs of the said corporation shall be managed by seven directors, who shall be chosen immediately after the organization of the company, and annually at a meeting of the stockholders to be held on the first Wednesday in January, and who shall choose one of their number to be president; should a vacancy occur at any time in the board of directors, by death or otherwise, the directors, convened at the next succeeding meeting, shall have power to fill such vacancy until the next annual election: <i>Provided always</i> , That no person shall be a director who is not a stockholder.
Proviso.	
Powers.	SECTION 5. That the corporation hereby created shall have power to have constructed one or more steamboats, to be used in plying and carrying freight and passengers between the city of Philadelphia, and towns in the states of Pennsylvania, New Jersey or Delaware, and may do all other acts and things necessary for the conduct of such carrying business, and for that purpose may purchase or lease real estate, erect wharves, piers, slips, buildings and all other necessary appendages.
Dividends.	SECTION 6. That dividends of so much of the profits of the company as shall be advisable to the board of directors shall be made and paid to the stockholders semi-annually, at such stated periods as the said board shall determine; and at each annual meeting of the stockholders, for the purpose of election, it shall be the duty of the president and directors of the preceding year to exhibit to the stockholders a full and complete statement of the affairs of the company during the past year, and shall produce the books, accounts and papers of the company, if required to do so by any person or persons being stockholders.
May borrow money.	SECTION 7. That the said company shall be authorized, from time to time, to borrow such sum of money as may be necessary to erect such wharves or buildings as may be necessary for its use, and to secure the re-payment thereof by bond or by mortgage of the property, privileges and franchises of the said company, at a rate of interest not exceeding seven per centum per annum: <i>Provided</i> , That the bonds to be issued shall not exceed, in amount, the sum of one hundred and fifty thousand dollars:
Proviso	

*And provided further,* That no bond shall be issued for a less Proviso.  
sum than one hundred dollars.

SECTION 8. That the privileges hereby granted shall not extend Limitation.  
for a period longer than twenty years, unless otherwise granted  
by the legislature of this commonwealth.

SECTION 9. That the stockholders of said company shall be Individual lia-  
jointly and severally liable, in their individual capacities, for all bility.  
debts due mechanics, workmen and laborers employed by, and  
materials furnished to said company, to be sued for and collected  
as provided in the twelfth, thirteenth and fourteenth sections of  
an act incorporating the Lackawanna iron and coal company,  
approved April fifth, Anno Domini one thousand eight hundred  
and fifty-three.

SECTION 10. That the said company shall pay a bonus of one- Bonus.  
half of one per centum on the capital stock of said company,  
and upon any increase thereof, payable in four equal annual in-  
stalments, the first payment to be made in one year from the  
date hereof.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of March, Anno Domini one  
thousand eight hundred and sixty.

WM. F. PACKER.

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No. 306.

## AN ACT

To incorporate the Philadelphia and Portland Steam Navigation Company.

SECTION 1. *Be it enacted by the Senate and House of Represen-  
tatives of the Commonwealth of Pennsylvania in General Assembly  
met, and it is hereby enacted by the authority of the same,* That  
William S. Rowland, Davis Pearson, W. A. Hamill, Titus Cronise, Corporators.  
J. F. Staever and R. J. Riddell, shall be and they are hereby de-  
clared to be a body politic or corporate, under the name and style

of the Philadelphia and Portland Steam navigation company, to Name.  
have perpetual succession as such, to be capable in law of suing  
and being sued, in all courts whatsoever, to have a common seal,

and purchase, own, employ, charter, build and equip, in the full- Seal.  
est manner, all ships and other vessels, to be sailed and navi- Powers and privi-  
gated upon the Atlantic or other oceans, and upon all public or leges.  
navigable waters, to or from any port in the United States or  
elsewhere, for the carrying and transporting of merchandize,  
passengers and mails, by such and other vessels, and to hold

and to use all necessary rights and powers for loading and unloading, receiving and delivering merchandize to be so transported, and also to sell or dispose of the said ships or vessels, and their appurtenances, or any part thereof, whensoever the directors of the said company may think proper to do so; and further, to have all such other rights and powers as are or may be properly incident to a corporation having for its object the transportation of goods, wares and merchandize, and the conveyance of passengers and the mails, by the means of ships or other vessels.

Capital stock.

SECTION 2. That the capital stock of the said corporation shall not exceed two hundred thousand dollars, divided into two thousand shares, of one hundred dollars each; and the said stock shall be held as personal property, and shall be transferable as such, under such regulations as the said corporation shall prescribe; and the liability of the said stockholders shall be limited to the amount of stock subscribed by each.

General meeting of stockholders, when to be held.

Election of directors.

SECTION 3. That a general meeting of the corporation and stockholders shall be held annually on the first Monday of February, for the election of five directors and the transaction of other business; but if such meeting and election shall not then take place, the corporation shall not, for that cause, be dissolved, but such meeting and election shall take place as soon thereafter, two weeks' public notice thereof being first given, in at least two daily newspapers in the city of Philadelphia, for each and every corporate meeting and election.

Notice of to be published.

Election to be by ballot.

SECTION 4. That the election of directors shall be by ballot, from among the stockholders; and in the enactment of by-laws for the government of the corporation and its officers, and in the decision of all questions, the corporators present, either in person or by proxy, shall severally have one vote for each share of stock held by them.

Votes.

Directors to continue in office until successors elected.

Vacancies, how supplied.

SECTION 5. That the directors shall continue in office until their successors be elected; they shall elect a president from among themselves, shall supply vacancies in their number, whether occasioned by death, resignation or refusal to act, and shall have the general and entire control of the affairs and interest of the company, except so far as may be otherwise provided by the corporators, and three members shall constitute a quorum.

Quorum.

First directors.

SECTION 6. That until other officers shall be duly elected, the persons named in the first section of this act shall be held to be the directors of the said corporation, and shall have power and authority as such, and shall receive subscriptions to the stock of said company, in such manner as they may direct and provide.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twentieth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.



No. 307.

## AN ACT

To incorporate the Penningtonville Odd Fellows Hall Association.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That William Haslam, William M'Canna, Charles Rees, Christopher C. Carr and John A. Reynolds, and their successors, and all persons who now are, or may hereafter be associated with them, be and they are hereby created and erected into a body politic and corporate, in deed and in law, by the name, style and title of the Penningtonville Odd Fellows hall association, and by that name shall have perpetual succession, and be able to sue and be sued, plead and be impleaded in any court of law or equity and elsewhere, and shall be capable in law and equity, to take and hold to them and their successors, either by grant, gift, devise, bargain, sale or lease, any lands, houses or real estate, and also to take and hold for the use of said association, any goods and chattels, sum or sums of money, by gift, grant, bargain, sale, will, devise, bequest or otherwise, from any person or persons whatsoever, capable of making the same, and the same at their pleasure to grant, bargain and sell for the use of the said association, and generally to do all and singular the matters and things which shall be lawful for them to do for the well being and due management of the affairs of the said association: *Provided,* That the real estate of which the said corporation shall be at any time possessed, shall not exceed the clear yearly value of one thousand dollars.

Corporators.

Style.

Powers and privileges.

SECTION 2. That the object of the said corporation shall be to provide, by purchase or otherwise, a suitable building or buildings in Penningtonville, in the county of Chester, for the accommodation of members of lodges of the Independent Order of Odd Fellows, and other benevolent societies.

Object.

SECTION 3. That it shall and may be lawful for the said corporation to have a common seal, and the same at will and pleasure to change, alter and renew, as they shall think proper, and shall have and exercise the rights, privileges and immunities necessary for the purposes of the corporation hereby constituted, and as herein expressed.

Seal.

SECTION 4. That the government of the said Penningtonville Odd Fellows hall association, and the management and disposition of its affairs and property, shall be vested in a board of five trustees, who shall be elected annually on the last stated meeting in the month of December, in every year, by the members of the Octoraro lodge, number three hundred and seventy, of the Independent Order of Odd Fellows, at their usual place of meeting, and the said trustees shall hold their places until their successors are chosen. Until an election is held by the said Octoraro lodge, the persons named in section first shall be the trus-

Government and management.

tees. At the first meeting of the trustees, in each year, they shall elect from their body a president, secretary and treasurer.

Qualification of trustees.

SECTION 5. That no person shall be elected a trustee unless he is a member of the said Octoraro lodge, number three hundred and seventy, of the Independent Order of Odd Fellows; and in case any trustee dies, resigns or removes from the neighborhood, or is excluded from the said Octoraro lodge, number three hundred and seventy, his place in the said board of trustees shall be declared vacant, and the said Octoraro lodge may at any subsequent meeting elect some person to fill his place.

Vacancies.

By-laws.

SECTION 6. That the said corporation may have power and authority to make such by-laws as they may deem proper, not in violation of the constitution and laws of this commonwealth, or of the United States.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-eighth day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 308.

## A SUPPLEMENT

To an act, entitled "An Act to incorporate the Wilkesbarre and Scranton Railroad Company," approved the fifteenth day of February, Anno Domini one thousand eight hundred and fifty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the corporate name of the Wilkesbarre and Scranton railroad company be and is hereby changed to the Nanticoke railroad company, and that the time for the commencement and completion of the same be and is hereby extended for five years from the passage of this act; and that John N. Conyngham, Ziba Bennett, Hendrick B. Wright, Augustus C. Laning, Andrew T. M'Clintock, Ario Pardee, Charles Parrish, Joseph Lippincott, Alexander Gray, David Mordecai, Lewis S. Audenried, Lazarus D. Shoemaker and Washington Lee, junior, instead of the persons named in the act of incorporation to which this is a supplement, be commissioners for the purpose therein named.

Name changed.

Commencement and completion.

Commissioners.

Authorized to construct railroad bridge.

SECTION 2. That said company shall have the right to build and construct a railroad bridge, or toll and railroad bridge, across the Susquehanna river, at or near the Nanticoke pool, in such

manner as not to obstruct the navigation thereof, and charge and receive tolls for crossing the same, whenever it shall be finished. Toll.

SECTION 3. That the president and managers of said company are hereby authorized to pay the shareholders interest at the rate of six per centum per annum on all instalments paid by them, in the manner and subject to the restrictions provided for in the seventh section of an act, entitled "An Act to incorporate the Lackawanna and Bloomsburg railroad company" approved the fifth day of April, Anno Domini one thousand eight hundred and fifty-two. Shareholders to receive interest.  
Subject to.

SECTION 4. That said company shall have the right to cross the Susquehanna river at any point from the townships of Plymouth, Union or Salem, and continuing up on the east side of said river, connect anywhere with the Lackawanna and Bloomsburg railroad, at, or at any point above, the borough of Wilkes-barre, and with any railroad between the points above named; and said company may charge and receive tolls on said road whenever any three miles of said road may be completed. At what point to cross the river.  
May connect with certain railroads.

SECTION 5. That said company are hereby authorized to borrow, for the purposes aforesaid, any sum or sums of money not exceeding four hundred thousand dollars, and issue bonds or certificates of loan therefor, with or without coupons attached; the directors of said company to have power to give to such bonds or certificates such preference and security, by mortgage or otherwise, as they may judge expedient and advantageous to said company: *Provided*, That no bond or certificate so issued shall be for a less sum than five hundred dollars, and that the interest payable on said bond or certificate shall not exceed seven per centum per annum: *And provided further*, That any company or companies incorporated under the laws of the commonwealth of Pennsylvania, proposing to derive advantage from the construction of said road, shall have authority to subscribe to the capital stock of said road, and for such subscription may issue their bonds, and deliver the same to the treasurer of said railroad company. May borrow money and issue bonds.  
Proviso.  
Proviso.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 309.

## A N A C T

To incorporate the Media Improvement Company.

Commissioners.	<p>SECTION 1. <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,</i> That Isaac Haldeman, H. Jones Brooke, C. R. Williamson, N. F. Walter, Levis Miller, Thomas Pratt, John Hall, Isaac Worrall, junior, Ralph Buckley, Joseph Huff, William T. Inness, or any five of them, be and they are hereby created commissioners, authorized to receive subscriptions to the capital stock hereby created, at such times and places as they may direct, previously giving at least two weeks' notice thereof in a paper printed in Delaware county, of the time and place when and where the subscription shall be received, which subscription, and all others that may be subscribed, shall be paid in such instalments, and at such times and places, and to such person, as the president and managers of the company may direct.</p>
Duty of.	<p>SECTION 2. That when two hundred and fifty shares are subscribed, the persons holding the same are hereby created and incorporated into a company, by the name and title of the Media improvement company, and by that name those who have subscribed, and those that may hereafter subscribe, shall have perpetual succession, with all privileges and franchises incident to a corporation, and shall be capable of taking and holding their capital stock, and the increase and profits thereof, and of purchasing and holding, to them and their successors, any lands, tenements and hereditaments, in fee simple, and any real or personal estate that may be necessary or convenient to them in the erection of their buildings, and shall have power to erect such building or buildings, and to place therein such engines and shafting as may be necessary for the purpose of manufacturing cotton or woollen goods, and the same to sell, lease or dispose of at their pleasure, and of contracting and being contracted with, of suing and being sued, of pleading and being impleaded in all courts of justice: <i>Provided,</i> That nothing in this act shall be construed to give authority to said company to engage in the business of manufacturing cotton or woollen goods.</p>
Subscription to shares.	
Name.	
Powers and privileges.	
Proviso.	
Capital stock.	<p>SECTION 3. That the capital stock of said company shall not exceed fifty thousand dollars, and shall be divided into shares of fifty dollars each; and as soon as two hundred and fifty shares of the said capital stock shall be subscribed, it shall be the duty of the commissioners to give notice, in one paper printed in Delaware county, for two weeks, of the time and place of a meeting of stockholders, who shall, on meeting, proceed to organize the said corporation, and shall choose, by ballot, in person or by proxy, one president and six directors, four of whom shall be a quorum, one treasurer, and such other offi-</p>
Meetings of stockholders to be published.	
Election of officers.	

cers as they shall deem necessary to conduct the business of said company, until other officers shall be appointed; and the said president and directors shall make such by-laws and regulations, for the government of said company, as they shall think necessary, being consistent with the constitution of this commonwealth, for the well ordering of the affairs of said company.

SECTION 4. That the president and directors first chosen shall issue certificates of stock to the several stockholders, signed by the president and countersigned by the treasurer of said company, each share of stock being entitled to one vote, and shall be transferable, subject to the by-laws which may be adopted.

SECTION 5. That the stockholders shall meet on the second Wednesday of January, in every year, at such place as shall be fixed on by the president and directors, for the purpose of electing officers for the ensuing year; and at said meeting the said president and managers, also the treasurer, shall make a statement of the transactions of the preceding year.

SECTION 6. That no enumeration of powers, duties and privileges herein contained, shall be so construed as to exclude others, not enumerated, which are necessary for the proper fulfilment of the designs and purposes of this corporation, and not inconsistent with the express provisions and limitations thereof, or of the constitution and laws of this commonwealth or of the United States.

SECTION 7. That the stockholders of said company shall be jointly and severally liable, in their individual capacities, for all debts due mechanics, workmen and laborers employed by, and materials furnished to, said company, to be sued for and collected as provided in the twelfth, thirteenth and fourteenth sections of an act incorporating the Lackawanna iron and coal company, approved April fifth, Anno Domini one thousand eight hundred and fifty-three.

SECTION 8. That the said company shall pay a bonus of one-half of one per centum on the capital stock of said company, and upon any increase thereof, payable in four equal annual instalments, the first payment to be made in one year from the date hereof; and the said corporation shall also pay such taxes upon dividends as are or may be provided by law.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 310.

## A N A C T

To confirm the revised grade and survey regulations of the fourth section of the survey of West Philadelphia, and a part of the late township of Blockley.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the plan, number one hundred and sixty-six, now on file in the office of the department of surveys of the city of Philadelphia, being "the revised grade regulations of the fourth section of the survey of West Philadelphia, together with the survey and regulation of a portion of the late township of Blockley adjoining," as ordered by councils of the city of Philadelphia, and approved by the board of surveyors of said city, February twentieth, one thousand eight hundred and sixty, be and the same is hereby confirmed, and all the street lines, heights and grades marked thereon established: *Provided,* That Fortieth street, between Baltimore avenue and the Darby plank road, or Woodland street, shall be laid out parallel with forty-first street; but the same shall not be opened, nor shall the Old Darby road, (otherwise called Old Tell street,) leading from said avenue to said plank road, between the said Forty and Forty-first streets, and which has been in use for many years, be closed up and vacated, without the consent of a majority in interest of the owners of the land bounding on both sides thereof being first had and obtained, or the same shall have been ordered and decreed to be done by the proper court of the city and county of Philadelphia, and proper damages awarded according to law; but this proviso shall not be so construed as to delay the operation of the said plan until the opening and closing of the said streets; but in all other respects whatever the said plan shall take immediate effect.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-eighth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.



No. 311.

## A N A C T

Authorizing the Executor of John Wragg, late of Luzerne county, deceased, to sell and convey certain real estate.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Richard Drinker, executor of the last will and testament of John Wragg, late of Luzerne county, deceased, be and is hereby authorized, from time to time, as occasion shall require, to sell at public or private sale, by parcels or otherwise, as may be most convenient, all the lands and real estate of which the said John Wragg died seized or possessed, situate in the county of Luzerne aforesaid, and to make and execute a deed or deeds for the said land and real estate, to the purchaser or purchasers, for all the right, title and interest which the said John Wragg had or held in the same at his death: *Provided, That* before any such sale shall be valid, the same shall be approved by the orphans' court of the county of Luzerne aforesaid, and the said Richard Drinker, executor, et cetera, shall file in the said court, a bond in such sum and with such sureties as shall be approved by said court, conditioned for the proper and legal distribution of the proceeds of said sale.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-eighth day of March, one thousand eight hundred and sixty.

WM. F. PACKER.

No. 312.

## A N A C T

To establish a House of Correction in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

House of correction established.	there shall be established a house of correction and employment for the city of Philadelphia.
Direction and management.	SECTION 2. That the said house of correction shall be under the control and direction of twelve managers, to be appointed on the third Monday in June next ensuing, after the passage of this act, or on the third Monday of any succeeding month in the present year, or in any year hereafter, as follows, to wit: Four of said managers shall be appointed by the judges of the court of quarter sessions of the city and county of Philadelphia; four by the judges of the district court for the city and county of Philadelphia, and four by the mayor of the city of Philadelphia; the managers shall serve for the terms hereinafter provided, without any pecuniary compensation for their services; the said managers, on the first Monday of the month succeeding their appointment, or after two weeks' personal notice in writing, or after public notice in two daily newspapers in the city of Philadelphia, for two weeks prior thereunto, given or published by order of the said court of quarter sessions, shall meet at four o'clock in the afternoon, at the county court house, and elect a president and treasurer to serve for the ensuing year, and they shall also divide themselves into four classes of three members each; the first class of whom shall serve for one year, the second for two years, the third for three years, and the fourth for four years; and whenever a vacancy shall exist in said board, the same shall be supplied by the court who appointed the individual who has caused the vacancy, or the mayor as the case may be, upon notice of such vacancy from the board of managers; and thereafter the said board of managers shall be a body politic, incorporate in law, under the style and title of the Philadelphia house of correction, and under that title shall have all the rights and liabilities of corporations, and may make any by-laws for their own government, or the government of said house of correction and employment: <i>Provided</i> , That the same shall not be inconsistent with the constitution and laws of the United States or of this commonwealth; <i>And provided further</i> , That not less than seven managers shall form a quorum.
Appointment of managers.	
Terms of.	
To receive no compensation.	
Meeting of.	
Divided into classes, and terms of.	
Vacancies.	
Style.	
Proviso.	
Proviso.	
Erection of buildings, &c.	SECTION 3. That as early as practicable, the aforesaid managers shall cause to be prepared plans and estimates for the erection of suitable buildings, on and within the farm land now occupied by the Philadelphia and Blockley almshouse, or any other site which the aforesaid managers, by and with the consent of the select and common councils of the city of Philadelphia, may deem most appropriate.
Expenses of site and buildings, relative to.	SECTION 4. That as soon as the site, plans and estimates are approved, the managers shall certify the same to the mayor and councils of the city of Philadelphia; and the said councils from time to time, as necessary, shall have authority to cause to be borrowed upon loan, at a rate of interest not exceeding six per centum per annum, redeemable after thirty-five years, said loans to be exempt from taxation, a sufficient sum of money to defray the expenses of said site and buildings, or future extensions thereof; and it shall be the duty of said city authorities to assess the amount necessary to pay the annual interest on said loan, and one per centum per annum, which one per centum shall form a sinking fund for the redemption of said loan; and the moneys

thus raised shall be known as the fund for the use of the house of correction of the city of Philadelphia, and shall not be applied to any other purpose whatsoever.

SECTION 5. That as early as practicable thereafter, the said managers shall proceed, with the moneys procured as aforesaid, to purchase the site chosen as aforesaid, and to erect and complete thereupon the necessary buildings, the title to the whole to be vested in the city of Philadelphia: *Provided*, That in the construction, or in any future extension of the said buildings, or of any other constructions for county purposes, upon the same or any neighboring property, the managers may, at any and all times, use and employ the labor of the persons committed to the said house of correction; and as soon as the said buildings shall be sufficiently ready for occupation, they shall be delivered into the custody of the board of managers, by whom the fact of such delivery shall be certified to the court of quarter sessions, and to the board of guardians of the poor of the city of Philadelphia; which court and guardians, respectively, shall thereafter commit to the said house of correction such able-bodied paupers and vagrants as may have been committed, or sentenced to be confined in the county prison or Blockley almshouse, for a period of less than three months; and it shall be the duty of the said judges of the court of quarter sessions, and inspectors of the Philadelphia county prison, to commit to the said house of correction all vagrants, habitual drunkards and disorderly persons whom they may deem best so to confine; and it shall be the duty of the guardians of the poor of the city of Philadelphia to transfer, within twenty-four hours after entrance into said almshouse, all able-bodied paupers, except such as may be necessary to employ in the service of said almshouse.

When site to be purchased.

Proviso.

Buildings to be delivered to board of managers.

Court of quarter sessions and inspectors of county prison, duty of

SECTION 6. The managers of the house of correction, or any one of them, may commit thereto any and all persons who are willing to be so committed; and the mayor of the city of Philadelphia, the inspectors of the county prison, and all committing magistrates in the city and county of Philadelphia, may and they are hereby authorized to commit to said house of correction and employment, for any period of time not less than three nor more than twelve months, all or any person or persons who, under existing laws, are liable to be committed to places of confinement, who shall apply to them for such purpose; all persons that may hereafter be convicted according to the existing laws of this commonwealth, before the mayor, recorder or any alderman of the city of Philadelphia, as a vagrant or disorderly person, shall be sentenced to suffer confinement in the said house of correction for the terms and in the manner hereinafter mentioned; there shall be elected annually, at the first stated meeting of the board of managers; or at any other time if required, a person who shall be designated by the title of the superintendent of the Philadelphia house of correction, who shall have the control and superintendence of the said house of correction, shall hold his office during the pleasure of the board of managers, and shall receive such compensation as they shall deem fit; the said board shall elect such other officers, keepers and servants as may be necessary for the management of the institution, and shall determine their several salaries; but no person

Who authorized to commit persons to house of correction.

Superintendent, election of.

shall be elected as keeper, assistant or superintendent, who is not expert in some mechanical or agricultural pursuit.

Election of officers.

SECTION 7. At the first stated meeting of the board of managers, in the month of June in each year, or at any other meeting during that month, there shall be elected, by a plurality of votes, a president and treasurer of the board, to serve for the term of one year from and after the first day of July then next ensuing; in default of such election of either officer during the said month, the court of quarter sessions shall appoint, from among the members of the board, a president or treasurer for the said term.

Inmates, labor of

SECTION 8. Every person in the custody of the said board of managers, not disqualified by sickness or casualty, shall be employed in quarrying stone, cultivating the ground, manufacturing such articles as may be needed for the prisons, almshouse or other public institutions of the state or city, and at such other labor as shall, upon trial, be found to be profitable to the institution, and suitable to its proper discipline, and to the health and capacities of the inmates.

Punishment for refusing to work, &c.

SECTION 9. If any person committed to the said house of correction according to law, shall refuse or neglect to perform the work assigned to him or her, it shall be the duty of the superintendent to punish such person by close confinement, on a diet of bread and water only, for such time as may be deemed necessary; which refusal and punishment shall be forthwith reported

To be reported to managers.

to the managers, and shall, by the secretary of the board, be recorded in a book to be kept for that purpose; it shall be the duty of the physician of the institution to visit any person so confined for punishment, at least once in each and every twenty-four hours, and he shall record, in a book to be kept for that purpose, his opinion upon the health of the person confined; upon his opinion being given of said confinement acting injuriously thereon, the said confinement or diet shall be altered in such manner as he shall direct.

Injury to property to be deemed a misdemeanor.

SECTION 10. Any inmate of said institution who shall wilfully break, destroy or injure any material, machinery, tool, property or thing, belonging to the said institution, or shall escape therefrom, shall be deemed guilty of a misdemeanor, and upon conviction thereof before any court of record of the county of Philadelphia, may be punished by imprisonment and hard labor, for not less than one month or more than one year.

Account to be kept with persons committed.

SECTION 11. It shall be the duty of the said superintendent to open an account, in a book to be kept for the purpose, with each and every person committed to said institution, charging him or her with all the expenses incurred in board and clothing, and other necessary expenses, and crediting him or her a fair and reasonable compensation for the labor performed by him or her; if, at the expiration of the term of the commitment of any person, it shall appear that the proceeds of his or her labor are more than sufficient to defray the cost of board, and maintenance, and other expenses, and the materials furnished to such person, together with five per centum thereon, the balance, if any, shall be paid to him or her in money; but the board of managers, at any time during the confinement of any person, when it shall appear that the proceeds of his or her labor are more than sufficient to pay the costs and charges aforesaid, may order the sur-

plus, or any part thereof, to be paid over for the use and maintenance of his or her family.

SECTION 12. The superintendent shall make a semi-monthly requisition on the board of managers for all articles which he shall deem necessary for the said institution, and such as shall be approved by them shall be purchased. The superintendent shall once in every month report to the board of managers the number of persons committed, discharged, sick, dead or remaining in the institution, also the quantity and kind of labor performed; and the board of managers shall transmit annually, to the legislature of the state, a condensed statement of the affairs of the institution.

Duty of superintendent.

SECTION 13. For any deficiency in furnishing, keeping and maintaining said house of correction and employment, in conformity with the provisions of this act, the managers are authorized to apply to said city councils for such sum or sums as shall be necessary; and if it shall appear that such application is reasonable, and that the accounts of said managers have been properly kept, the said city councils shall direct an order to be drawn on the treasurer of said city, for such sum or sums as by them may be deemed necessary and proper.

Keeping and maintaining institution, relative to.

SECTION 14. The said managers, superintendent and officers of said house of correction and employment, shall be subject to all the restrictions, liabilities and penalties of the fifty-first section of the act supplementary to the act to incorporate the city of Philadelphia, passed the second day of February, one thousand eight hundred and fifty-four.

Managers, superintendent and officers, subject to

SECTION 15. Every person committed to the house of correction and employment of the city of Philadelphia, shall, for the first time, be committed for a term of not less than one month, nor more than six months; for the second time, or at any time thereafter, for a term of not less than three months, nor more than twelve months.

Persons committed, relative to terms of.

SECTION 16. Any person committed to the said house of correction by any other authority than the court of quarter sessions of the peace of the city and county of Philadelphia, may apply for a writ of habeas corpus to any judge of the said court, and upon return thereof, if such judge shall deem there is sufficient or reasonable ground for granting the same, he shall enter upon a rehearing of the evidence, and either discharge the individual, modify or confirm the commitment.

Writ of habeas corpus.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-eighth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.



No. 313.

## AN ACT

To repeal so much of a further supplement to the act consolidating the city of Philadelphia, as prevents the Mayor from sitting as a Committing Magistrate; and further, to give the Mayor power to appoint an Alderman for such purpose.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* so much of the act, entitled "A further supplement to the act consolidating the city of Philadelphia," approved the thirteenth day of May, Anno Domini one thousand eight hundred and fifty-six, as prohibits the mayor of the city of Philadelphia from sitting as a committing magistrate, be and the same is hereby repealed; and the said mayor shall have all the jurisdiction and power of a committing magistrate throughout the said city.

Repeal.

Mayor to have power of a committing magistrate.

May appoint one alderman as a committing magistrate.

SECTION 2. It shall be lawful for the mayor, at pleasure, to appoint any one of the aldermen of the said city to sit as a committing magistrate at the police station adjoining the office of the mayor; and such alderman shall thereupon lawfully have and exercise such jurisdiction thereat, and warrants issued by the mayor may be made returnable before him; and the compensation of the said alderman for such services, shall be at the rate of one thousand dollars per annum: *Provided*, That said compensation be paid out of the fines, forfeitures, penalties, costs and fees to be received at the said police station; and a statement shall be made, under oath, to the city controller on the first Mondays of January, April, July and October in each year, of the entire amount of the said fines, forfeitures, penalties, costs and fees, and payment thereof of the said compensation; the balance shall be paid into the city treasury.

Salary.

Proviso.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-eighth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.



No. 314.

## SUPPLEMENT

To an act incorporating the Philadelphia and Savannah Steam Navigation Company, approved the eighteenth day of March, one thousand eight hundred and fifty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said Philadelphia and Savannah Steam navigation company shall have all the privileges and powers granted to the Ocean Steam navigation company, by the first section of the act incorporating the same, approved the thirteenth day of May, Anno Domini one thousand eight hundred and fifty-seven.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-eighth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 315.

## AN ACT

To incorporate a Ferry over the Delaware river, in Manchester township, Wayne county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That William T. Kellam, his heirs and assigns, shall have the right Ferry authorized and privilege, at his or their own expense, to make a good and convenient landing on the Pennsylvania side of the Delaware river, at a place in Manchester township, Wayne county, opposite, or nearly opposite, to the Basket switch or depot on the New York and Erie railroad, and to use the said Delaware river between said landing and the said Basket switch or depot as a public ferry, and also the right and privilege of erecting a post or posts on any land or lands contiguous to or adjoining said landing, and to extend therefrom and across said Delaware river

*Proviso.* a chain, rope or wire, in order to facilitate the crossing of said river: *Provided*, That said chain, rope or wire shall be so extended as not to interfere with or obstruct the ascent or descent of rafts or other crafts navigating said river; also, the further right and privilege of making and constructing a road from the state road, at the most convenient point, to said landing on the Delaware river: *Provided*, That the said William T. Kellam, his heirs and assigns, shall pay to the owner or owners of said land or lands, on which the before-mentioned landing shall be made, post or posts erected, and road made or constructed, all damages which may accrue to said owner or owners in consequence thereof; which said damages (if they cannot be amicably arranged) shall be assessed by a jury of three persons appointed by the court of quarter sessions of Wayne county, and their report and proceedings shall be the same, in every respect, as in the case of opening roads under existing laws.

*To be kept in good order.* SECTION 2. That the said William T. Kellam, his heirs and assigns, shall keep the said ferry in good order and repair, fit for the transportation and passage of travelers, teams and carriages of all descriptions, and keep good and sufficient boats and other crafts, and a competent and careful ferryman or ferrymen, who shall constantly, as occasion may require, attend for the purpose of carrying passengers, teams, carriages of all kinds, et cetera, across the river, with all reasonable diligence and care.

*Compensation.* SECTION 3. That the said William T. Kellam, his heirs and assigns, for keeping and maintaining the said landing and ferry as aforesaid, shall receive compensation for persons passing over said river, at said ferry, at the following rates, to wit: For each foot person, five cents; for each person and horse or mule, twelve and a half cents; for each one horse carriage, twelve and a half cents; for each two horse, ox or mule carriage, or wagon or cart, twenty-five cents; for each four horse, or ox or mule carriage, wagon or cart, thirty-five cents; for each additional horse, ox or mule, five cents; for each yoke of oxen, without cart, et cetera, ten cents; for each head of horned or neat cattle, led or drove, five cents; for each head of sheep or swine, led or driven, three cents.

*Injuries to boats, &c.* SECTION 4. That if any person or persons shall wilfully pull down, cut or break, or in any way injure or destroy any chain, wire, rope or boat, or other property, or shall take from its mooring any craft or boat belonging to said ferry, he, she or they so offending shall each of them forfeit and pay to the said William T. Kellam, his heirs and assigns, the sum of twenty dollars, in addition to all damages sustained by the said William T. Kellam, his heirs or assigns, to be recovered as debts of like amount are recoverable.

*Prohibition.* SECTION 5. That all other persons are hereby prohibited from using the said river for the purpose of a ferry within two miles above and two miles below said ferry; and any person or persons violating the provisions of this act shall forfeit and pay to the said William T. Kellam, his heirs and assigns, the sum of one dollar for each and every traveler, team, head of cattle, horse or carriage carried over the river within the above named bounds: *Provided*, That nothing in this act contained shall be construed to prevent persons owning the Pennsylvania shore of

*Proviso.*

said river within said limits from passing over said river, or from transporting their property over said river free of any such charge, they embarking on said river from their own lands.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-eighth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 316.

## A FURTHER SUPPLEMENT

To the act to incorporate the Trenton City Bridge Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the board of directors of the Trenton City bridge company, to convene a meeting of the stockholders of said company, giving the same notice thereof as is required to be given, prior to the annual elections, and that said stockholders, or a majority thereof, voting according to the rule, and in the ratio prescribed for the election of directors, may determine at said meeting or at any adjourned meeting, to increase the capital stock of said company, by the creation of two thousand additional shares of stock, of twenty-five dollars each, and if they so determine, the same shall be deemed to be increased accordingly; and the said directors may, from time to time, procure subscriptions for a disposal of the additional shares so created, at no less than their par value, and may receive payment thereof, upon the same terms and instalments as are prescribed with regard to the original stock; and such additional shares shall be deemed to be a part of the capital stock of said corporation, as fully, to all intents and purposes, as if they had been created by the original act of incorporation.

May create additional capital stock.

SECTION 2. That unless the directors of said corporations shall, within six months hereafter, file their assent to this act in writing, and under the seal of said corporation, in the office of the secretary of the commonwealth, this act shall be deemed to be void.

Assent of directors to be had to this act.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-eighth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 317.

## AN ACT

To incorporate the Western Pennsylvania Railroad Company.

Preamble.

WHEREAS, The holders of the bonds secured by mortgage executed by the North-Western railroad company, did purchase the North-Western railroad, with all the corporate rights and franchises belonging to said company, at public sale, had in pursuance of a decree of the supreme court of Pennsylvania, and the deed executed in pursuance of said sale was delivered to William L. Hirst, in trust for all the bondholders who participated in the said purchase; and it is desirous that the said railroad should be completed, as well for the development of the resources of that portion of the commonwealth through which the said railroad is located, as also to reimburse the said bondholders for their expenditure of money and labor; therefore,

Corporators.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That William Maher, Israel Painter, William L. Hirst, Thomas White, Thomas G. Stewart, Michael Malone, William C. Patterson, Thomas E. Franklin, George M. Kline, Christopher Hager, Benjamin F. Ruff, Thomas Collins, Philip Collins, James Fenelon, John M'Farland, Andrew J. Dull, Addison Leech, John Scott, Peter Fritz, and all other persons who hold mortgage bonds and coupons attached, or coupons issued by the North-Western railroad company, and such other persons as they may associate with them, be and are hereby created and made a body corporate, in law, by the name, style and title of the Western Pennsylvania railroad company; and by said name, style and title

Style.

Powers and privileges.

shall have perpetual succession, and shall be able to sue and implead, and to be sued and impleaded, in all courts of record; and also have and shall have all the powers, privileges and authority which were conferred upon the North-Western railroad company by an act of assembly, approved the ninth day of February, Anno Domini one thousand eight hundred and fifty-three, entitled "An Act to incorporate the North-Western railroad company," and the supplements thereto; which said act and supplements are hereby repealed, and the charter of the said North-Western railroad company revoked, as fully as if the same were repealed and incorporated in this act of assembly; and subject to the provisions and restrictions of an act of assembly regulating railroad companies, approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine, so far as the same are not altered and supplied by this act, and the act of assembly incorporating the North-Western railroad company, and its supplements; and the said the Western Pennsylvania railroad company shall have the rights and privileges, subject to the provisions and restrictions of the said acts of as-

Repeal.

Subject to.

sembly, to extend their railroad from any point of the same to a point at or near Tyrone City, in Blair county; and the said William Maher, Israel Painter, William L. Hirst, Thomas White, Thomas G. Stewart, Michael Malone, William C. Patterson, Thomas E. Franklin, George M. Kline, Christopher Hager, Benjamin F. Ruff, Thomas Collins, Philip Collins, James Fenelon, John M'Farland, Andrew J. Dull, Addison Leech, John Scott, Peter Fritz, and their said associates, bondholders on the said the Western Pennsylvania railroad company, when incorporated, shall have full power and authority to sell and dispose of the said railroad so held by them, and all the estate, real and personal, rights, credits, franchises, which were of the said North-Western railroad company, and the said mortgage bonds, or stock representing the said bonds, either in whole or in part, to any person or persons, or to any railroad company lawfully incorporated, upon such terms and conditions as may be agreed upon; and after such sale, the purchaser or purchasers shall, from thenceforward, be made a body corporate, and shall from that time be invested with all the powers and franchises and privileges conferred upon the said William Maher, Israel Painter, Michael Malone, William L. Hirst, Thomas G. Stewart, William C. Patterson, Thomas E. Franklin, George M. Kline, Christopher Hager, Benjamin F. Ruff, Thomas Collins, Philip Collins, James Fenelon, John M'Farland, Andrew J. Dull, Addison Leech, John Scott, Peter Fritz, and their associates, by this act; and full power and authority is hereby given to any railroad company, lawfully incorporated, to purchase and hold the same, according to the provisions of this act, with all the powers and authority conferred by this act: *Provided*, That nothing herein contained shall be so construed as to authorize the company hereby incorporated to exercise any authority or control over any liability incurred by individual subscribers to the stock of the North-Western railroad company.

Extension of road

Authorized to sell road, &amp;c.

Purchasers to be a body politic and corporate.

Proviso.

SECTION 2. That the capital stock of said company shall consist of sixty thousand shares; and, upon the approval of this act, the said trustee, William L. Hirst, shall and he is hereby required to issue certificates of stock, at fifty dollars per share, to each and every of the holders of bonds and coupons, or coupons, respectively, to the amount of the bonds and coupons, or coupons, issued by the said North-Western railroad company, respectively held by them.

Capital stock.

Trustee to issue certificates of stock.

SECTION 3. That for the purpose of completing and equipping said railroad, the said the Western Pennsylvania railroad company shall have the power and authority to borrow any sum of money, not exceeding two millions of dollars, at a rate of interest not exceeding seven per centum per annum, and to secure the payment of the same by the issue of bonds, with coupons attached thereto, and by a mortgage of the said railroad, together with the corporate rights and franchises granted by this act, and to annex to said bonds the privilege of converting the same into the capital stock of the said company, at par, at the option of the holders, if they shall signify such election in writing, so to convert the same one year before their maturity: *Provided*, That no bond shall be issued for a less amount than one hundred dollars.

Authorized to borrow money.

Proviso.



May execute  
mortgages.

SECTION 4. That it shall and may be lawful for the said the Western Pennsylvania railroad company to make, execute and deliver, either mortgages or transfers in trust, of the personal estate that may hereafter belong to the said company, or any part thereof, including rolling stock, locomotives, cars, trucks, and other personalty whatsoever, to secure loans or advances to said company, and each and every such mortgage or transfer, duly acknowledged and recorded in the proper offices of the counties in which the railroad of said company may be located, shall be good and valid, and effectual in law, against said company, and against all executions issued subsequent in date to the recording of such mortgage or transfer in trust, although said company may continue to use the same, on their own or any other road, and shall be in possession of such personal property so mortgaged or transferred: *Provided*, That the whole amount of bonds and mortgages of real and personal estate, shall, at no time, exceed the sum of two millions of dollars: *Provided*, That all unpaid damages which have accrued to landholders, by reason of the original construction of said road, shall remain forever, until paid, a lien upon said road; and in case these cannot be amicably settled, the same shall be determined according to the provisions of the several railroad acts.

Proviso.

Proviso.

May increase  
capital stock.

SECTION 5. That the capital stock of said company may be increased or diminished, at a meeting of the stockholders convened for that purpose, upon notice issued by the directors, or a majority of them: *Provided*, That the said notice shall be published, at least three successive weeks, in one newspaper published in the city of Philadelphia and the counties of Lancaster, Indiana, Westmoreland and Allegheny, respectively, and shall specify the object of the meeting, and the time and place where and when such meeting shall be held: *And provided also*, That the said capital stock shall not be increased or diminished, unless, at such meeting, the stockholders representing not less than two-thirds of all the shares of the capital stock issued, either in person or by proxy, shall vote in favor of increasing or diminishing the amount of the same.

Proviso.

Proviso.

Corporations  
may subscribe to  
capital stock.

SECTION 6. That it may and shall be lawful for any corporation or corporations to subscribe to the capital stock of said Western Pennsylvania railroad company, any amount not exceeding the amount held by the individual stockholders of said Western Pennsylvania railroad company, and to receive, hold and dispose of any stock so subscribed, in the same manner as other property belonging to such corporation or corporations.

Election of officers.

SECTION 7. That the stockholders of the Western Pennsylvania railroad company shall hold an election, at such time and such place as shall be fixed in a notice for that purpose, to be issued by Michael Malone, Israel Painter, William Maher, Thomas White, Thomas E. Franklin and George M. Kline, then and there to elect a president and twelve directors, who shall continue in office until the second Monday in January, Anno Domini one thousand eight hundred and sixty-one, and until other officers are elected to supply their place, of which said election at least two weeks' public notice shall be given, in one newspaper published in the city of Philadelphia and the coun-

Terms.

Notice of election  
to be published.



ties of Lancaster, Indiana, Westmoreland and Allegheny, respectively.

SECTION 8. That if, by any future arrangements or by order of court, the bonds of the county of Butler, issued to the North-Western railroad company, which were not paid out or appropriated by said North-Western railroad company, amounting to one hundred and eighty-four thousand five hundred dollars, shall be given or passed over to the said Western Pennsylvania railroad company, and the said county of Butler shall make provision for the payment of the interest coupons on the said bonds, the said Western Pennsylvania railroad company shall apply the said bonds, or the proceeds thereof, to the construction of that part of the said railroad lying between Freeport and the borough of Butler, in Butler county.

Bonds to be applied to construction of road between Freeport and Butler.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 318.

## A SUPPLEMENT

To an act to revive and continue the act authorizing the Governor to incorporate a Company for making an artificial road from the river Schuylkill at Reading, in the county of Berks, to or near Hummelstown, in the county of Dauphin.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the auditor general, in settling the account of the president, managers and company of the Berks and Dauphin turnpike road, for taxes heretofore levied and assessed, and now due and payable by the said company to the commonwealth, be and he is hereby authorized and required to credit said company with a sum equal to the amount said company would have to pay when declaring a dividend of six per centum per annum, as now provided by law, for each of those years since the incorporation of said company during which no dividend was declared by said company.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 319.

## A FURTHER SUPPLEMENT

To an act to incorporate a Company for making an Artificial Road, by the best and nearest route, from Waterford, in the county of Erie, through Meadville and Franklin, to the Susquehanna river, at or near the mouth of Anderson's creek, in Clearfield county, et cetera.

Repeal.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the second section of said act as directs that the president of the Susquehanna and Waterford turnpike road company, the president of the Philipsburg and Susquehanna turnpike company, and the president of the Bellefonte and Philipsburg turnpike company, for the time being, and at all times hereafter, or a majority of them, shall have the care and direction of the said bridge, being the bridge over the West Branch of Susquehanna river, on the Philipsburg and Susquehanna turnpike road, and are hereby authorized to carry the act into effect, be and the same is hereby repealed.

Managers to take charge of bridge.

SECTION 2. That the auditor general shall, on the first day of June next, appoint a board of three managers, in the county of Clearfield, to take charge of said bridge; one to serve one year, one to serve two years, and one to serve three years, and one annually thereafter to serve three years.

Duty of.

SECTION 3. That the duty of said managers, or a majority of them, shall be the same as that directed in the second section of the act to which this is a supplement, to be performed by the presidents of the aforementioned roads; and for their services they shall receive one dollar and fifty cents per diem for each and every day spent in discharge of their duties.

Compensation.

Moneys due from the state, how to be applied.

SECTION 4. That said managers shall have power, by orders drawn on the state treasurer, and approved by the auditor general, to draw from the state treasury any moneys that may be, from time to time, due the said bridge, under the second section of the act to which this is a supplement, to be applied to the repairing or re-building of said bridge.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 320.

## AN ACT

To incorporate the Chest Spring and Gallitzin Turnpike or Plank Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Henry Nutter, Montgomery Douglass, Michael D. Wagner, Jerome Dawson, George Gallagher, Matthew M. Adams, David Watt, Greenberry Taylor, Michael Smith and Josiah Christy, or any three of them, are hereby authorized to open books, receive subscriptions and organize a company by the name, style and title of the Chest Spring and Gallitzin turnpike or plank road company, with power to locate and construct a turnpike or plank road, from the borough of Chest Springs, in the county of Cambria, to the village of Gallitzin, in said county, subject to all the provisions and restrictions of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the supplements thereto, so far as the same be not inconsistent with this and the subsequent sections of this act. Commissioners.  
Style.  
Route.  
Subject to.

SECTION 2. That the capital stock of said company shall consist of four hundred shares, of twenty dollars each, but the said company may from time to time, by a vote of the stockholders, increase the capital stock, if it shall be deemed necessary to carry out the true intent and meaning of this act. Capital stock.

SECTION 3. That the said company shall have power to construct said road, either wholly or in part, of plank or stone, as they may deem most advantageous; and when they shall have completed two miles of said road, they shall have power to erect toll gates, and receive the same tolls per mile, as are allowed by the twelfth and thirteenth sections of an act approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, entitled "An Act regulating turnpike and plank road companies." Material for constructing road.  
Tolls.

SECTION 4. That if said company shall not commence the construction of said road within two years from the passage of this act, and complete the same within six years, this act shall be null and void and of no effect, except so far as may be necessary to settle up and pay the debts of said company. Limitation.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 321.

## A N A C T

For the preservation of Insectivorous Birds, and for the protection of Fruit and Fruit Trees in Lehigh county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the provisions of the act, entitled "An Act for the preservation of insectivorous birds, and for the protection of fruit and fruit trees in certain counties," approved the fourteenth day of April, Anno Domini one thousand eight hundred and fifty-five, shall apply to, and be herewith extended to the county of Lehigh.*

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 322.

## A N A C T

For the relief of the Humane Fire Company of the city and liberties of Philadelphia.

WHEREAS, It is provided by the act or instrument of incorporation of the Humane fire company of the city and liberties of Philadelphia that the apparatus of said company shall be located within the following bounds, to wit: From the west side of Second street, to the east side of Sixth street, and from the North side of Sassafras street, to the south side of Callow-hill street:

AND WHEREAS, The reasons that required said limitation no longer exist; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That so much of the said act or instrument of incorporation as re-*

quires said limitation of boundaries, be and the same are hereby repealed.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 323.

## A N A C T

To incorporate the Sunnyside Institute at Newburg, Cumberland county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That D. F. Shoemaker, W. W. Frazer, D. Elliott, D. Smith, S. Wherry, I. N. Hays, and their successors, be and they are hereby created into a body politic and corporate, in deed and in law, by the name, style and title Sunnyside institute, and by that name and title, shall have perpetual succession, shall be able to sue and be sued, to plead and be impleaded, and shall be able and capable in law and in equity, to receive, take and hold, for the use of the said corporation, lands, tenements, hereditaments and estate, real and personal whatsoever, and the same to grant, bargain, sell, transfer, assign, mortgage and convey, in such manner as the said corporation shall deem proper, and to receive and make all deeds, transfers, contracts, conveyances, covenants and assurances whatsoever, and to make, have and use a common seal, under and by which all deeds, assurances, diplomas and acts of the said corporation shall pass and be authenticated, and the same seal to change and renew at pleasure, and generally to do every other act or thing necessary to carry into effect the provisions of this act, and to promote the objects and designs of the said corporation.

Corporators.

Style.

Powers and privileges.

Seal.

SECTION 2. That the object and design of the said corporation shall be the establishment of an institute within the limits of Newburg, Cumberland county, in which are to be taught the elementary branches of education, together with the sciences and modern and ancient languages, in the manner that may be determined from time to time, by the proper officers of the said corporation, and as the same may be set forth in their by-laws and regulations: *Provided*, That such by-laws and regulations are not inconsistent with this charter or with the constitution

Object and design.

Proviso.

of the United States or the constitution and laws of this commonwealth.

Constitution and by-laws. SECTION 3. That the said corporation shall have power to adopt a constitution and make by-laws, and the same to amend, alter or repeal at pleasure.

Misnomer. SECTION 4. That no misnomer of the said corporation shall defeat any intended gift, grant, conveyance, devise or bequest thereto, nor any act or deed intended to be made or done thereby, nor shall the clear annual value of the estate of said corporation exceed the sum of six thousand dollars.

May confer degrees. SECTION 5. That the trustees of said institute shall have power to confer such literary degrees, and academic honors and diplomas, as are usually granted by colleges, upon such pupils as shall have completed, in a satisfactory manner, the prescribed course of study.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 324.

## A N A C T

Granting to Elizabeth Taylor, Widow of an Old Soldier, an annuity and pension.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be and he is hereby directed to pay Elizabeth Taylor, widow of Philip Taylor, a soldier of the Revolutionary war, the sum of forty dollars, and to pay her forty dollars a year during her life, payable on the first day of May in each year.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.



No. 325.

## A N A C T

To establish a Public Ferry over the North Branch of the Susquehanna river near Bloomsburg, Columbia county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* William Snyder, Joseph W. Hendershot, John Keiffer, George Shuman, and such other persons as they may desire to associate with them, their heirs and assigns, shall have the right, at their cost, to make a good and convenient landing on the north and south sides of the North Branch of the Susquehanna river, at the termination of the road leading from the Bloom furnace to said river, and to use the said river between the said landings as a public rope ferry. Ferry authorized

SECTION 2. That the said William Snyder, Joseph W. Hendershot, John Keiffer and George Shuman, and such others as they may associate with them, their heirs and assigns, for the keeping up and maintaining the said landings and ferry, shall receive from persons passing over the said river at said ferry such price as fees as is customarily paid at other ferries on said river, subject to such rates and regulations as the court of quarter sessions of the county of Columbia may establish. Fees. Subject to.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 326.

## A N A C T

To pay Henry Steffy for Damages sustained by the killing of Horses on the Philadelphia and Columbia Railroad.

WHEREAS, On the twenty-ninth day of November, one thousand eight hundred and fifty-five, an accident happened near Lancaster city, at the turnpike crossing of the Philadelphia and

Columbia railroad, caused by the carelessness of the engineer, by which three valuable horses belonging to Henry Steffy were killed, and other damages done to his team, for which damage the said Henry Steffy has not yet been paid; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be hereby authorized and required to pay said Henry Steffy the sum of five hundred dollars, in full of said damage sustained by him.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 327.

## A FURTHER SUPPLEMENT

To an act laying a tax on Dogs in certain counties, and for other purposes, approved April fourth, one thousand eight hundred and thirty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the act to which this is a supplement, be and the same are hereby repealed, so far as relates to taxing dogs in the township of West Caln, in the county of Chester.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 328.

## A N A C T

To alter the time of holding the Courts in the county of Mifflin.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the third term of the court of common pleas, and of the other courts of the county of Mifflin, shall commence on the fourth Monday in August, in each year, instead of the first Monday of August, as now fixed by law, and shall continue for two weeks, if the business of said court shall require it.*

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 329.

## A N A C T

Authorizing the appropriation of certain Taxes to the making of a certain Road leading from the borough of Brookville to John Conger's, in Polk township, Jefferson county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act it may and shall be lawful for the owners of the following tracts of unseated lands in Marian and Polk townships, in Jefferson county, to appropriate the unseated road taxes on said tracts to the working and finishing of a public road leading from the borough of Brookville to John Conger's, in Polk township, each and every year until said road is made and finished, to wit: Tract number three thousand seven hundred and ninety-eight, warranted in the name of Hodgegen; three thousand and ninety-eight, in the name of Le Roy and Levi Clain; four thousand and fifty-one, in the name of J. Nickolson; three thousand and fifty-nine, in the*

name of Le Roy and Levi Clain; four hundred and nineteen acres, patented to P. Kerr; three thousand and thirty-nine, in the name of Le Roy and Levi Clain; four thousand and eighteen, in the name of John Nickolson; three thousand and thirty-one, in the name of Le Roy and Levi Clain; four thousand and twenty-three, in the name of John Nickolson; three thousand and fifty-seven, in the name of Le Roy and Levi Clain; four thousand and twenty, in the name of John Nickolson.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 330.

## A N A C T

To repeal an act authorizing the laying out of a State Road from the borough of Lock Haven, in Clinton county, to Snow Shoe, in Centre county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act of assembly, entitled "An Act authorizing the laying out of a state road from the borough of Lock Haven, in Clinton county, to Snow Shoe, in Centre county," approved the thirty-first March, Anno Domini one thousand eight hundred and fifty-nine, be and the same is hereby repealed.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 331.

## A N A C T

To appoint an Auctioneer in the county of Somerset.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Charles Stoner, of Somerset county, be and is hereby authorized and empowered, for a term of three years from and after the passage of this act, to sell at public auction, in the borough of Somerset, and such other places as he may designate in said county, all kinds of goods, wares and merchandize: *Provided,* He shall first pay into the treasury of said county, for the use of the commonwealth, the sum of thirty dollars.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER

No. 332.

## A N A C T

To incorporate the Republic Life Insurance Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That William A. Newell, Martin Coryell, E. W. Earl, A. Seward, Joseph Dungan, A. F. Cheesborough, W. J. Horstman, Charles G. Imlay and S. Henry Norris, are hereby appointed commissioners, who, or a majority of whom, are authorized and empowered, from and after the passage of this act, to establish an insurance company, by the name and title of the Republic life insurance company, to be located in the city of Philadelphia, with a capital of ten thousand dollars, with the privilege of increasing the same to fifty thousand dollars, divided into shares of fifty dollars each; and said company shall be organized and managed according to the provisions of an act to provide for

the incorporation of insurance companies, approved the second day of April, Anno Domini one thousand eight hundred and fifty-six, and shall be empowered to insure the respective lives of its members and others, and to make all and every insurance, appertaining to life risks, of whatsoever kind or nature, and to receive and execute trusts, to make endowments to any survivor or person, payable immediately or deferred, contingent upon the death of one or more of its insured members; and shall have the right to transact its business upon the mutual principle, in connection with its joint stock capital aforesaid.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-sixth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 333.

## A SUPPLEMENT

To an act to incorporate the Mahanoy and Broad Mountain Railroad Company, approved the twenty-ninth day of March, eighteen hundred and fifty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* for the purpose of completing and equipping their railroad, the Mahanoy and Broad Mountain railroad company be and they are hereby authorized to borrow any sum of money not exceeding two hundred and fifty thousand dollars, and to secure the payment of the same by the issue of bonds, not less than one hundred dollars each, with or without coupons attached thereto, and by a mortgage of the said railroad, together with the corporate rights and franchises, and other property of said company, with the appurtenances, and to sell and dispose of the said bonds on such terms as may be agreed upon, from time to time, and in such amounts as may be required for the purposes aforesaid, and to annex to said bonds, if they see proper, the privilege of converting the same into the capital stock of the said company at par, at the option of the holders.

SECTION 2. That it shall and may be lawful for any corporation or corporations to subscribe to the capital stock, or purchase the bonds of the said Mahanoy and Broad Mountain railroad company, in such amounts and upon such terms as may be

Authorized to  
borrow money  
and issue bonds.

To execute mort-  
gage.

Corporations  
may subscribe to  
capital stock.



agreed upon, and to receive, hold and dispose of the same, in the same manner as other property belonging to such corporation or corporations.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 334.

## A SUPPLEMENT

To an act relating to County and Township Rates and Levies, approved April fifteenth, Anno Domini one thousand eight hundred and thirty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the warrant authorized by the thirty-fifth section of the act to which this act is a supplement may be issued to the supervisors, or to any person authorized by them to collect township rates and levies, in any township where no treasurer has been elected or appointed; and the person or persons to whom such warrant is directed shall proceed to execute the same in the manner provided in said section.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

## No. 335.

## SUPPLEMENT

To an act for the Assessment and Recovery of Damages on the North Branch and Wyoming Canals, approved the twelfth day of April, Anno Domini one thousand eight hundred and fifty-nine.

*SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

Filing of claims, relative to. any claim filed in accordance with the sixth section of the act to which this is a supplement, on or before the first day of June, one thousand eight hundred and sixty, shall have the same force and effect as if the same had been filed on or before the first day of August, one thousand eight hundred and fifty-nine, as required by the said sixth section of the said act to which this

Proviso. is a supplement: *Provided*, That the first section of this act shall not allow persons to re-file claims which were filed prior to August first, one thousand eight hundred and fifty-nine.

Provision of certain act extended to. *SECTION 2. That the time limited for the completion of the investigations required of the commissioners appointed under the act to which this is a supplement, be and the same is hereby extended for and during an additional period of six months.*

Compensation of commissioners of claims. *SECTION 3. That the commissioners of canal claims, appointed in accordance with the first section of the act to which this is a supplement, shall hereafter receive for their services the sum of five dollars per day, instead of three, as heretofore.*

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

## No. 336.

## A SUPPLEMENT

To an act to incorporate the Washington and Maryland Line Railroad Company, approved April twelfth, one thousand eight hundred and fifty-six.

*SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

the name and style of the Washington and Maryland Line railroad company shall, from and after the passage of this act, be the Columbia and Maryland Line railroad, with the same rights, powers, privileges, authorities, restrictions and liabilities which are given and created by the act to which this is a supplement; and that all contracts, whatsoever, with the said company, and all subscriptions to the capital stock thereof, heretofore made under the former title, shall be and remain, in all respects, good and valid, under the name hereby given.

Name changed with former powers, &c.

SECTION 2. That the said company shall have power to locate and construct an extension of the road authorized by the act to which this is a supplement, to some convenient point in or near the borough of Columbia, Lancaster county, and to make an intersection or connection thereof with the road of the Pennsylvania railroad company.

May extend road

SECTION 3. That it shall be lawful for the stockholders of the said company, or a majority of them in value, at any meeting or meetings, which may be called for the purpose by the board of directors, or by any ten of the said stockholders, to increase the capital stock thereof to such number of shares as they may deem proper: *Provided*, That the entire capital stock shall, at no time, exceed one and one half million of dollars.

May increase capital stock.

SECTION 4. That the said company be and is hereby authorized and empowered to borrow, for constructing and equipping the said railroad, and for the general purposes of the same, such sum or sums of money as the board of directors may, from time to time, determine, not exceeding, in the whole, six hundred thousand dollars, at any rate of interest not exceeding seven per centum per annum, and to issue therefor the bonds of the said company, with or without coupons attached, in sums not less than one hundred dollars each, which said bonds the said company may secure by a mortgage or mortgages upon the whole or any part of their railroad and equipments, real estate, corporate privileges and franchises, thereunto belonging; and, from time to time, as may be required for the purposes herein mentioned, may sell and dispose of the said bonds, at their market value.

Proviso.

May borrow money and issue bonds.

To be secured by mortgage.

SECTION 5. That the said company shall commence the construction of the road within five years from the passage of this act, and shall complete the same within ten years thereafter.

Limitation.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 337.

## AN ACT

To authorize the Managers of the Poor of the township of Germantown to sell real estate.

Authorized to  
sell property,  
execute convey-  
ances, &c.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the managers for the relief and employment of the poor of the township of Germantown, be and they are hereby empowered to advertise and to sell at public sale, all or part of the real estate and appurtenances, known as the poor house property, situate on Rittenhouse street, in the late borough of Germantown, and now in the Twenty-second ward of the city of Philadelphia, and now held by the said managers for the relief and employment of the poor of the township of Germantown, at such time or times, and in such parts or parcels, and upon such terms as may, in the discretion of the said managers, be considered most advantageous, and upon such sale or sales to make, execute and deliver good and sufficient assurances and conveyances in the law therefor, to the purchaser or purchasers thereof.

Proceeds of sale,  
how to be ap-  
plied.

SECTION 2. That the said managers for the relief and employment of the poor of the township of Germantown, are hereby further authorized and empowered, with the proceeds of said sale or sales, to purchase for the use of said township of Germantown, such other real estate in said township of Germantown, as may be necessary and proper for a poor house, and thereon to erect, or cause to be erected and constructed, all such buildings and improvements as they may deem necessary for the proper and comfortable maintenance and support of the poor of the said poor district: *Provided*, That any surplus moneys arising from said sale or sales, after the purchase of other property, and the erection of the necessary buildings, shall be securely invested for the maintenance of the poor aforesaid.

Proviso.

Repeal.

SECTION 3. That all laws or parts of laws, inconsistent with the purposes of this act, be and the same are hereby repealed.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 338.

## A N A C T

Relative to Bridges and Ferries in Clinton and Lycoming counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all persons, bodies politic or corporate, be and the same hereby are prohibited from keeping up, maintaining, erecting or establishing any rope, chain, wire or other ferry across any of the rivers of Clinton and Lycoming counties, and from using any of said rivers, for the purpose of any such ferry, within two miles above and two miles below any toll bridge which has been or hereafter may be constructed over any of said rivers, by any company now or hereafter incorporated by or in pursuance of any law of this commonwealth; and all such ferries heretofore established, or which may hereafter be established, are hereby declared to be nuisances; and as such, upon complaint of any such bridge company, or other person or persons interested, shall be abated, removed, enjoined or restrained, with award of damages by the supreme court, or proper court of common pleas, under the equity powers thereof, in the same manner and with like process as in other cases of nuisance: *Provided,* That nothing in this act contained shall apply to any ferry which has been or may hereafter be erected, established, kept up and maintained in pursuance of the provisions of any law of this commonwealth specially authorizing the same.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 339.

## A N A C T

Relative to taking testimony by Commissioners for other States resident in Pennsylvania.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

from and after the passage of this act any commissioner or commissioners appointed by any court of the United States, or of any state, district or territory in the United States, to examine or take the testimony of any witness within this commonwealth, shall be invested with all the powers and authorities which are by law vested in commissioners appointed for a like purpose by the district court of Philadelphia, under the laws of this commonwealth.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 340.

## A N A C T

Prescribing the mode of Authenticating Judgments of Justices of the Peace and Aldermen of other States.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That in all suits or causes where it shall be necessary for either party to give in evidence the proceedings had before a justice or justices of the peace or alderman of any other state, a transcript of the docket, proceedings or record of the said justice or justices or alderman, certified by the same, respectively, and verified by the certificate of the clerk or prothonotary of a court of record in the city or county wherein the said justice or alderman has jurisdiction, under the seal of the court, setting forth the official character and authority of the said justice or alderman, attested by the judge thereof, shall be legal evidence of the judgment entered in such case.*

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.



No. 341.

## A SUPPLEMENT

To the act to encourage Manufacturing Operations in this Commonwealth, approved the seventh of April, one thousand eight hundred and forty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act to encourage manufacturing operations in this commonwealth, passed April seventh, one thousand eight hundred and forty-nine, and the supplements thereto, be and the same are hereby extended to companies formed for the purpose of mining, manufacturing and refining carbon oil; and all companies incorporated for mining, manufacturing and refining carbon oil, as aforesaid, shall have the right to hold lands in the manner and to the same extent as is provided for companies incorporated for opening coal mines, and mining and preparing the coal for market, under the said act for encouraging manufacturing operations in this commonwealth, and the several supplements thereto.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 342.

## A N A C T

Relative to the appointment of Auditors.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the sixteenth section of the act of the twenty-fourth of January, one thousand eight hundred and forty-nine, authorizing the commissioners of the incorporated districts of the Northern Liberties and Kensington to open a street, to be

called Delaware avenue, and for other purposes, shall be so construed as not to apply to cases where the counsel interested, or the parties nominate the auditor, master in chancery, examiner, commissioner or appraiser: *And provided*, That the provisions of this act shall not apply to the county of Allegheny.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 343.

## AN ACT

Relative to Challenging Jurors in civil cases.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That on the trial of all civil suits now pending or hereafter brought in any of the courts of this commonwealth, the plaintiff and defendant shall each have four peremptory challenges.*

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 344.

## A SUPPLEMENT

To an act passed the thirty-first day of March, one thousand eight hundred and fifty-four, entitled "An Act to incorporate the Allegheny Wharf and Land Company, in the county of Philadelphia."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the power and authority given by the act to which this is a supplement, to said Allegheny Avenue wharf and land company to let, demise, sell, dispose of and convey to their stockholders, or others, the whole or any part of their real property, shall be vested in the board of directors of said company; and that said board of directors shall have the full right and power, from time to time, to let, demise, sell, dispose of and convey, by proper deeds and assurances, under their common seal, to the stockholders of said company, or others, the whole or any part of their real property, and in such parts and parcels as they may from time to time deem proper, and accept and receive in payment thereof either cash or the stock of said company at the par value thereof, said purchaser or purchasers to take an indefeasible title therein, and not subject to any limitations whatever.

Certain powers to be vested in the board of directors.

Right and power of directors.

SECTION 2. That at any meetings whatever, whether stated or special, of the stockholders of said company, ten of said stockholders shall constitute a quorum for the transaction of business.

Quorum.

SECTION 3. That all and every sale and conveyance heretofore made of any of the real estate of said company, whether made by said company or the board of directors thereof, and the title thereto, to the purchasers or owners thereof, be and the same is hereby confirmed.

Certain sales and conveyances confirmed.

SECTION 4. That all and every provision of the act of assembly to which this a supplement, or the charter granted to said company by the court of common pleas of the county of Philadelphia, inconsistent herewith, be and the same is repealed.

Repeal.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 345.

## AN ACT

To prevent Recovery for the Sale of Adulterated Liquors.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, in all actions for the sale of any spirituous, vinous or malt liquors, or any admixtures thereof, it shall be competent for the defendant, in every such case, to prove that said liquors or admixtures thereof were impure, vitiated or adulterated, and proof thereof being made, shall amount to a good and legal defence to the whole of the plaintiff's demand.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 346.

## AN ACT

To incorporate the Mifflin County Bank.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That William Thompson, Davis Bates, Andrew M'Farlane, E. L. Benedict, Thomas Reed, Joseph Alexander, John D. Naggeny, Thompson G. Bell, William Beatty, Samuel Milliken, Oliver P. Smith, James Brown, Henry M'Auley and H. L. Close, of the county of Mifflin, are hereby appointed commissioners, and they, or a majority of them, are authorized to carry into effect the establishment of a bank, to be located in the borough of Lewistown, in the county of Mifflin, with a capital of one hundred thousand dollars, and the said commissioners may increase it to two hundred thousand dollars, and the president and directors

Commissioners.

Duty of.

Capital.

may at any time increase the same to five hundred thousand dollars, to be divided into shares of one thousand dollars each, and to be organized, managed and governed as hereinafter provided for.

SECTION 2. That the commissioners named in the first section of this act, or a majority of them, shall have power to open books for receiving subscriptions to the capital stock of said bank, agreeably to the provisions of the first section of this act; and no person shall be permitted to subscribe less than five shares, and such subscriptions shall be made payable to the president and directors of said bank; and the said commissioners shall have the power of keeping the books open to receive subscriptions for the term of one year, if they should not get the one hundred shares subscribed sooner.

Subscriptions of stock.

SECTION 3. That all persons offering to subscribe to the capital stock of said bank, shall first pay to the attending commissioners the sum of ten dollars on each share to be subscribed, out of which shall be defrayed the expenses of taking the subscriptions, and other incidental charges, and the residue shall be paid over to the president and directors of said bank as soon as the same shall be organized.

Amount to be paid on each share.

SECTION 4. That the stockholders of said bank shall at no time be less than three nor more than thirty in number; and they shall be the directors of said bank, with power, after incorporation, to elect a president, cashier and other necessary officers, from time to time, as occasion may require. In said election of officers, and on all other questions that may come before the board, every five shares of stock shall entitle the holder to one vote, except in determining what paper may be discounted, when each stockholder shall be entitled to one vote, and no more, irrespective of the number of shares held by him; and all paper offered for discount shall be rejected if there be two or more votes against it; the president and cashier, or any other officer, is prohibited from discounting any paper, unless they have written instructions, signed by all the directors, giving them power to do so; and in all elections for officers, and all matters, except discounting, to be decided by a vote; two-thirds of all the votes shall be necessary to a decision.

Number of stockholders, power of, &c.

Discounting paper, relative to.

SECTION 5. That the stockholders of said bank, in addition to their corporate liability, shall be jointly and severally liable for all the debts and liabilities of said bank; and as a further security to the holders of all bills or notes which may be issued by said bank, the stockholders thereof are hereby required to give mortgages to the commonwealth, upon real estate situated in this state, clear of all prior incumbrances, at a fair cash valuation of said real estate; said valuation to be ascertained by an appraisement of the mortgaged premises, made under oath or affirmation, by three competent and disinterested persons, to be appointed by the governor for that purpose; and before the commissioners enter on the duty of their office, they are to notify the governor, who is authorized to appoint three appraisers, whose duty it shall be to appraise the property shown to them, at a fair cash valuation, and to make out a certificate of the same, signed by said appraisers, or a majority of them, which certificate is to be attached to said mortgage.

Individual liability.

Mortgages to commonwealth.

Appraisers to be appointed by the governor.

Mortgages to be submitted to the judges of the court of common pleas.

SECTION 6. That the said commissioners shall have the mortgages drawn and duly executed, and submit them and the title papers to the judges of the court of common pleas of the county in which the mortgaged premises are situated, or a majority of them, of whom the president judge shall be one; and the said judges, or a majority of them, are hereby authorized to examine them, and, if approved of, they are so to certify, and the said certificate shall be attached to said mortgage, with the certificate of appraisers.

Mortgagors to keep up policies of insurance.

SECTION 7. That each mortgagor who, under the provisions of this act, shall mortgage lands or assign mortgages which he has on land, on which valuable buildings are erected, shall procure and keep up a policy or policies of fire insurances on said buildings, in some solvent company or companies, for such amount as may be required by the rest of the stockholders, and to be approved of by said appraisers; said policies to be deposited with auditor general, for the security of the noteholders of said bank; and in case any such mortgagor shall neglect or refuse to keep up such insurances, it shall be the duty of the auditor general, whenever any such policy shall expire, forthwith to require said bank, within ten days, to renew or furnish other policies, or to surrender up to him the circulating notes of said bank to an amount equal to the amount of such expired policy, if the said policies are not given, and the said notes surrendered as required, the auditor general shall inventory and destroy the same, as hereafter directed; but if the policies and notes be not so given, the auditor general shall direct the attorney general to collect the amount of said policies out of said mortgages, and pay the same into the state treasury, there to be kept for the use and security of said noteholders.

Mortgages to be given for amount of notes proposed to be issued.

SECTION 8. That said mortgages shall be given for the amount of notes proposed to be issued by said bank, and shall be acknowledged as other mortgages, and recorded, together with the afore-said certificates of valuation, in the county or counties in which the mortgaged lands and tenements lie, and also in the auditor general's office, in books to be provided for that purpose, and shall be held by said commonwealth in trust, for the use of the noteholders of said bank; and upon the failure of said bank to redeem any of its notes, as required by law, it shall be the duty of the assignee or assignees who may be appointed under the proceedings authorized by the seventeenth section of the act regulating banks, approved the sixteenth of April, one thousand eight hundred and fifty, to sue out said mortgages and collect the proceeds, or so much thereof as may be necessary to redeem all the notes issued by said bank.

Subscriptions to capital stock.

SECTION 9. That when not less than one hundred thousand dollars of the capital stock of said bank shall have been subscribed, and ten dollars on each share has been paid on the amount so subscribed, in gold or silver coin, or the notes of specie paying banks, which the said commissioners are hereby authorized to receive, said commissioners, or a majority of them, shall certify to the governor, under their hands and seals, and under their oaths and affirmations respectively, the names of the subscribers and the number of shares subscribed by each, together with the amount so actually paid, and that mortgages



on real estate to the amount of the shares subscribed for, and the policies of insurance, have been given and deposited with the auditor general, as required by this act; and thereupon the governor shall, by letters patent, under his hand and the seal of the state, create and erect the said subscribers, their successors and assigns, into one body politic and corporate, in deed and in law, by the name, style and title of the Mifflin County Bank; and they shall so continue a body politic and corporate, for the term of twenty years, from and after the date of said letters patent; and by the name, style and title aforesaid, they shall be able to sue and be sued, implead and be impleaded, answer and be answered, in all courts of record and elsewhere, and to purchase, have, hold, receive, possess, enjoy and retain to their and their successors, lands, tenements, hereditaments, rents, goods and chattels, of what kind, nature and quality whatsoever, to an amount not exceeding in the whole the capital stock of said bank, except such as may be purchased in satisfaction of any judgment or decree in favor of said bank, or lands purchased in which said bank may have a lien, or assigned to it as security for the payment of any debt, and the same from time to time to sell, grant, demise, alien and dispose of; and also to make and have a common seal, and the same to break, alter and renew at pleasure; and also to ordain and put in execution such by-laws, rules and regulations as shall be convenient and necessary for the good government of said bank: *Provided*, That they be not contrary to the constitution or laws of the United States or of this state, and generally to do and execute all such acts, matters and things which a corporation may lawfully do, subject to the rules, regulations, restrictions and provisions of this act: *Provided however*, That all such lands, tenements and hereditaments, except the banking house and lot of said bank, shall be aliened, sold and disposed of within five years after the same shall have been acquired by said bank.

Letters patent.

Style.

Limitation.

Powers and privileges.

Proviso.

Proviso.

SECTION 10. That the auditor general is hereby authorized and directed to cause to be engraved and printed, in the manner best calculated to guard against counterfeiting, such quantity of bills or notes in blank, of the different denominations, not less than five dollars, which are authorized to be issued by the banks of this commonwealth, to carry into effect the provisions of this act; said blank bills or notes, each denomination of which shall be uniform, shall be countersigned by the auditor general, and numbered and registered in his office; and all said bills or notes of every denomination, shall have upon their face the words, secured by pledge of real estate, and joint and several liability of stockholders; the forms and devices of said notes, and the number of each denomination, may be selected by the bank, but the auditor general shall prescribe the devices for receiving his signature, and the number herein directed to be put on said notes.

Auditor general to furnish notes in blank.

To be countersigned by auditor general, &amp;c.

SECTION 11. That whenever said bank shall have been duly organized, and the stockholders thereof shall have deposited with the auditor general the mortgage securities and policies of insurance herein required, and not less than twenty-five per centum of the capital stock subscribed shall have been paid in, and the same shall be so certified, under the oath or affirmation

When notes in blank to be delivered to the bank.

of the cashier, the said bank shall be entitled to receive from said auditor general, an amount of the aforesaid bill or notes, in blank, equal to the aggregate amount of said mortgages, in such denomination as said bank may desire, numbered, registered and countersigned as aforesaid; and the said bank, on receipt of said notes, is hereby authorized, after having them signed by the president and cashier thereof, in such manner as to make them obligatory promissory notes, payable on demand, at its banking house or place of business, to loan and circulate the same as money, according to the ordinary course of banking business, subject to all the provisions and restrictions of this act.

Bills received from the auditor general only to be circulated.

Violating this section deemed a misdemeanor.

Fines and imprisonment.

Proviso.

Specie funds, relative to.

Violation of this section, relative to.

Proviso.

Statement of cashier, &c.

SECTION 12. That said bank is hereby prohibited, under a penalty of a forfeiture of its charter, from issuing, paying out or circulating any bills or notes, or paper in the nature or similitude of bank notes, purporting to be the notes of said bank, other than such as may be received from the auditor general as aforesaid; and any president, cashier or other officer of said bank, who shall make, sign, issue, pay out, or cause or knowingly permit to be made, signed, issued or paid out, any bill or note as aforesaid, not authorized by this act, or if any auditor general shall number, countersign or deliver, or knowingly permit to be numbered, countersigned or delivered to said bank, or to any of its officers, or to any other person, said bills or notes to an amount in the aggregate beyond the amount of mortgaged securities deposited as aforesaid, such auditor general, president, cashier or other person so violating the provisions of this section, shall be deemed guilty of a misdemeanor, and on conviction, shall be fined not less than one thousand, nor more than ten thousand dollars, and undergo an imprisonment in the penitentiary of the proper district for a period not less than three years, nor more than ten years: *Provided*, That nothing in this section shall be construed to prohibit said bank or its officers from loaning, passing and circulating the notes of other banks, in the same manner as other banks incorporated by the laws of this commonwealth may lawfully do.

SECTION 13. That no officer or director of said bank shall at any time permit the specie or specie funds on hand to be reduced below twenty-five per cent. of the aggregate amount of notes in circulation; and should specie or specie funds at any time be so reduced, it shall not be lawful for said bank to discount any paper until said specie or specie funds be made to exceed said twenty-five per cent.; and any president, cashier or director who shall allow or knowingly permit any discounts to be made in violation of the provisions of this section, shall be deemed guilty of a misdemeanor, and on conviction, shall be fined not less than one hundred, nor more than five hundred dollars, and undergo an imprisonment in the penitentiary of the proper district for a term not less than one month, nor more than one year: *Provided*, That nothing in this section shall be construed to prohibit the renewing of paper that has been discounted, or the discounting bills of exchange at short dates.

SECTION 14. That the said directors to meet on the Tuesday of each week, and as much oftener as they think necessary, for the purpose of discounting or other business, at which time the

cashier shall make a full statement of the situation of the bank, in a book to be kept for that purpose, when a majority of the directors shall be a quorum for discounting; but if a majority of said directors should not attend on the days appointed, then, and in that case, any two of them shall have the privilege of discounting.

SECTION 15. That said bank shall make the same statements and returns, to be verified and published in the same manner as are required of the other banks of this commonwealth, not located in the cities of Philadelphia, Pittsburg or Allegheny; and the said directors, or a majority of them, shall examine one of the statements every three months, and certify under their hands that it is correct, to the best of their knowledge and belief.

Statement for publication.

SECTION 16. That it shall be the duty of the auditor general, whenever requested by said bank, to receive all defaced and mutilated bills or notes, and to deliver in lieu thereof other circulating notes, duly numbered, registered and countersigned as aforesaid, to the same amount; and said auditor general, on receipt of any bills or notes under any of the provisions of this act, shall forthwith make out complete lists of the same, containing the numbers, dates and amounts of all said bills or notes respectively, and without delay cause said lists to be recorded in his office, in the book or books for recording the aforesaid mortgages, and as soon thereafter as practicable shall burn and destroy all notes received as aforesaid, in the presence of the state treasurer and cashier or president of said bank.

Defaced notes.

SECTION 17. That on the death of any party who shall have given and deposited mortgage securities as aforesaid, or whenever any person, having so given and deposited the same, shall desire to withdraw his or her or their means from said bank, and to have their said mortgage securities cancelled, and the lands and tenements bound thereby released, it shall be lawful for such stockholder, if living, or for the heirs or devisees of such as may be dead, to apply to the auditor general by petition, briefly setting forth the facts, and praying that the said securities may be cancelled; whereupon the said auditor general shall forthwith issue a citation, directed to the said bank, and cause the same to be served, by copy, on the president or cashier thereof, requiring said bank, within six months after said service, to substitute other mortgage securities, under the provisions of the fourth, fifth, sixth and seventh sections of this act, for the same amount as that proposed to be cancelled, or within said six months to deliver up to said auditor general, to be destroyed, an amount of the circulating notes of said bank equal to the amount of said mortgage securities so proposed to be cancelled; and on compliance of bank with either of said provisions, the auditor general shall issue an order, under his hand and seal of office, directed to the recorder of deeds in whose office such mortgage or mortgages may be recorded, authorizing said recorder to enter satisfaction on such mortgage or mortgages; and said recorder shall also, at the same time, record the authority on which said satisfaction may be entered, after which date the said stockholder is discharged from all liability, unless he holds other stock in the bank: *Provided*, That no mortgage securities shall be cancelled or marked satisfied as aforesaid, unless the stock-

Relative to withdrawal of mortgaged securities from bank.

Duty of auditor general.

Proviso.

holder asking for the same shall have first discharged all his or her indebtedness to said bank, and paid off all costs that may occur by entering said satisfaction, and getting other mortgages in lieu thereof.

Settling up the affairs of the bank, redeeming circulation, &c.

SECTION 18. That on settling up of the said bank, either at the expiration of the charter or by consent of the partners, or by failure of the bank, the persons authorized to settle it, after giving notice in one paper published in the county, one in Harrisburg, and one in Philadelphia, to be published six months, giving notice that they are ready to redeem all the notes in circulation, and requesting the holders of them to present them; and at the expiration of two years from the date of the notice, on proof of the notice being published, and all the notes that were presented at the counter was paid, the auditor general is authorized to issue power of attorney to the register and recorder of the counties in which the mortgaged premises are, to enter satisfaction on all the mortgages held by the commonwealth as security for the redemption of the notes.

Plates, dies, notes, books, &c., to be paid for by bank.

SECTION 19. That the plates, dies and other materials procured by the auditor general for engraving and printing said bills or notes as herein directed, shall remain in the possession of said auditor general for safe keeping, and under his direction and control; and the necessary expense of procuring said plates, dies, books and other materials, and of printing, numbering, registering and countersigning said bills or notes, and the usual fees for recording said mortgages and other papers, shall be paid by the said bank before the said bills or notes shall be delivered by the auditor general as aforesaid.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

I do certify that the bill, entitled "An Act to incorporate the Mifflin County Bank," passed the House of Representatives on the fourteenth day of February, A. D. one thousand eight hundred and sixty, which has been disapproved by the governor, and returned by the governor, with his objections, to the House of Representatives, in which it originated, was agreed to by two-thirds of the House of Representatives on the twenty-fourth day of March, A. D. one thousand eight hundred and sixty, and that the foregoing is the act so agreed to by the said House.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

Attest: E. H. RAUCH,  
*Clerk of the House of Representatives.*

I do certify that the bill, entitled "An Act to incorporate the Mifflin County Bank," passed the Senate on the fifteenth of March, A. D. one thousand eight hundred and sixty, which has been disapproved by the governor, and returned, with his objections, to the House of Representatives, in which it originated, was agreed to by two-thirds of the Senate, agreeably to the con-

stitution, on the twenty-sixth day of March, A. D. one thousand eight hundred and sixty, and that the foregoing is the act so agreed to by the Senate.

WM. M. FRANCIS,  
*Speaker of the Senate.*

Attest: RUSSELL ERRETT,  
*Clerk of the Senate.*

No. 347.

# AN ACT

To incorporate the Farmers' and Mechanics' Mutual Fire Insurance Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That F. Wenrick, F. R. Gilbert, W. J. Seal, Henry Frank, J. Harner, H. L. Gilbert, E. Kahler, Lamuel Landis, G. Bowman, G. M. Brubaker, J. D. Monroe, J. L. Foster, W. Deppen, Jonathan Swab and George C. Welker, are hereby appointed commissioners, who, or a majority of them, are authorized and empowered, from and after the passage of this act, to establish an insurance company, by the name of the Farmers' and Mechanics' mutual fire insurance company, to be located in the borough of Millersburg, Dauphin county, which said company shall be organized and managed according to the provisions of an act to provide for the incorporation of insurance companies, approved the second day of April, Anno Domini one thousand eight hundred and fifty-six, and shall be limited to the risks designated in the first class, in the seventh section of said act, and shall transact its business upon the mutual principle.*

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twentieth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.



No. 348.

## A SUPPLEMENT

To an act to incorporate the Mount Joy Savings Institution, approved the thirteenth day of May, Anno Domini one thousand eight hundred and fifty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the Mount Joy savings institution, located at the borough of Mount Joy, in Lancaster county, shall be called and known by the name, style and title of the Mount Joy Bank, and in addition to its present objects and privileges, shall have and enjoy full banking privileges, and the privilege of issuing bank notes, redeemable in specie, at its counter. All judgments obtained by said corporation, and notes, bonds, drafts, contracts or debts, made and owing to it by its former name, it shall be lawful to enforce, recover and collect, in the name given by this act, and a change in the title of any of its officers or agents shall not prevent such recovery and collection, nor shall such change in its name affect any pending suits wherein it is a party.

Name changed.

Additional privileges.

Increase of capital stock.

SECTION 2. That the directors of said corporation are hereby authorized to increase the capital stock of the same twenty-five thousand dollars, such new capital stock to be divided into five hundred shares, of the value of fifty dollars each; they may open books for subscription to the same, at such time or times, and in such amounts, at any one time, as to them may seem expedient, giving at least thirty days' public notice, in at least one newspaper published in Lancaster county, of the time and place when such books will be opened. The holders of the present stock shall first be permitted to subscribe for any number of shares, not exceeding, however, one-half, or other proper proportion of the number of shares of old stock held by such stockholder, on the first day books shall be opened for subscription to any certain amount of stock. Should any stockholder neglect or refuse to take his or her quota, for ten days after the books shall have been opened, then any other stockholder may subscribe for such stock not so taken; and after twenty days from the time such books shall have been opened, persons other than stockholders shall be permitted to subscribe for any shares then undisposed of, and for the disposal of which the books shall have been opened. Every subscriber shall pay five dollars, in gold or silver coin of the United States, at the time of subscribing, for each share subscribed for; the remainder of the money, payable thereon, shall be paid wholly or partly in coin, at such times and in such amounts as the directors shall require. The said stock may receive such dividends, and be transferred, subject to the payment of the instalments due, and to become due thereon, as the by-laws shall prescribe,

Present stockholders first permitted to subscribe.

When persons other than stockholders may subscribe.

Dividends on increased stock.



but the holders thereof shall not be entitled to certificates therefor, or votes thereon, until it be fully paid. If any instalment upon any stock shall remain unpaid at the time prescribed for payment, such stock, with all moneys paid thereon, may be forfeited to the bank; but before such forfeiture is made, at least one year's notice shall be given to the person holding the same at the time of such notice.

Unpaid instalments, relative to.

SECTION 3. That after the stock authorized by the preceding section shall have been subscribed for and fully paid in, it shall and may be lawful for the directors of said bank to further increase its capital stock, in such amounts and at such times as may be deemed expedient. The further increase or increases authorized by this section shall not exceed seventy-five thousand dollars in the aggregate, and any such increase shall first be authorized by a majority of at least two-thirds of the stockholders present at any general or special meeting, after at least thirty days' notice published as aforesaid, and given by order of the directors, or any ten stockholders, that a proposition for such increase, and stating the amount thereof, will be voted upon at said meeting; such stock may be forfeited, shall be subscribed for, paid and in all respects disposed of as the stock authorized by the preceding section.

Further increase of capital stock.

SECTION 4. That no person or persons, firm or corporation, who shall be drawer or drawers, endorser or endorsers, upon any note or notes discounted by said bank, or shall be in anywise indebted to it to the amount of ten thousand dollars, shall be suffered to become indebted to it in any greater or further amount in any manner or form whatever. Any wilful violation of this section shall work an absolute forfeiture of the charter of said bank; and any director or other officer knowingly permitting or consenting to any violation hereof, shall be deemed guilty of a misdemeanor, and upon conviction thereof in the court of quarter sessions of Lancaster county, shall pay a fine not exceeding five hundred dollars.

Amount of indebtedness limited.

Relative to violations of this section.

SECTION 5. That said bank shall be invested with all the privileges and immunities of incorporated banks under the general laws of the commonwealth regulating them, and shall be subject to all the provisions and restrictions thereof, so far as the same are not altered and supplied by this act, or the act to which it is a supplement. It may purchase, hold, lease and convey such real estate only as may be necessary to transact its business, not exceeding five thousand dollars in value, and such as may be bought by it at sales on executions issued upon judgments or mortgages, to secure debts due it. It shall pay a bonus into the state treasury of one per centum of the amount of capital stock authorized by the second section of this act, within one year after its passage, and one per centum of the amount of capital stock from time to time created according to the third section hereof, within one year after its creation.

Subject to.

Real estate.

Bonus.

SECTION 6. That this act shall go into effect when a certificate of the acceptance thereof by the directors of said savings institution, under the hands of its president and treasurer, and its corporate seal, shall be filed in the office of the secretary of the commonwealth, who is required to file the same. The present board of directors shall continue in office until the third Mon-

Acceptance of this act, relative to.

**Election of directors, when held.** day of November next, when the next election shall be held, and until their successors be duly qualified, notice of such election to be given as directed by the general laws of the commonwealth regulating banks. Elections for directors shall be held upon the third Monday of November in every year thereafter, upon like notice. Dividends of so much of the profits as may seem advisable shall be declared by the directors on the first discount days of May and November in each year, and paid to the stockholders at the expiration of ten days thereafter. The next dividend shall be declared on the first discount day of November next. The last three provisoes of the first section, and so much of the fourth and sixth sections of the act to which this is a supplement, as are inconsistent herewith, are hereby repealed.

**Repeal**

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

I do certify that the bill, entitled "A supplement to an act to incorporate the Mount Joy savings institution, approved the thirteenth day of May, A. D. one thousand eight hundred and fifty-three," passed the House of Representatives on the fourteenth day of February, A. D. one thousand eight hundred and sixty, which has been disapproved by the governor, and returned by the governor, with his objections, to the House of Representatives, in which it originated, was agreed to by two-thirds of the House of Representatives on the nineteenth day of March, A. D. one thousand eight hundred and sixty, and that the foregoing is the act so agreed to by the said House.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

Attest: E. H. RAUCH,

*Clerk of the House of Representatives.*

I do certify that the bill, entitled "A supplement to an act to incorporate the Mount Joy savings institution, approved the thirteenth day of May, A. D. one thousand eight hundred and fifty-three," passed the Senate on the fifth day of March, one thousand eight hundred and sixty, which has been disapproved by the governor, and returned, with his objections, to the House of Representatives, in which it originated, was agreed to by two-thirds of the Senate, agreeably to the constitution, on the twentieth day of March, A. D. one thousand eight hundred and sixty, and that the foregoing is the act so agreed to by the Senate.

WM. M. FRANCIS,

*Speaker of the Senate.*

Attest: RUSSELL ERRETT,

*Clerk of the Senate.*

No. 349.

## A N A C T

For the relief of James H. Hunter.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the state treasurer be authorized and directed to pay to James H. Hunter the sum of one hundred and fifty dollars, the amount due him for damages by having his cars broken by a locomotive running into them on the state railroad, near Haverford, in the year one thousand eight hundred and fifty-six: Provided, That the auditor general shall be of opinion, and certify to the state treasurer that the amount aforesaid is justly due the said Hunter, and that the same has not been heretofore settled or adjusted.*

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 350.

## A N A C T

Repealing a portion of an act authorizing the laying out of a State Road from Schroyer's Gap, in Clinton county, by way of M'Call's mills, in Union county, to intersect the Ruegler road, in said county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the act of assembly, entitled "An Act authorizing the laying out of a state road leading from Schroyer's Gap, in Clinton county, by way of M'Call's mills, in Union county, to Spruce Run Gap, in Union county, to intersect the Ruegler road, in said county," approved the thirtieth day of March, Anno Domini one*

thousand eight hundred and fifty-nine, be and the same is hereby repealed, so far as relates to Union county, east of M'Call's mills.

Commissioners.

SECTION 2. That Wilson Linn, Mark Halfpenny and Abraham Frederick are hereby appointed commissioners to lay out a road from M'Call's mills, in Union county, to a point at or near Wilson's mill, on the Brush Valley road, in the same county, the grade of which road shall not exceed six degrees to the rod at any point of the same, and which said road shall be made and completed for use on or before the first day of September next; the said commissioners, before entering upon their duties, shall give at least five days' notice of the time they will proceed to view and lay out said road, by written or printed advertisements publicly posted in the vicinity of each end of said road; and after having viewed and laid out said road, shall make a plot or draft of the same, and file a copy of the same in the respective offices of the clerks of the court of quarter sessions in Centre and Union counties; the expenses incurred in laying out said road, and executing this commission, to be paid in the same manner as is provided for in the act to which this a supplement.

Completion of.

Notice to view and lay out to be advertised.

Draft.

Expenses

ISAAC A. SHEPPARD,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 351.

## A N A C T

Relative to borough of Franklin.

WHEREAS, The burgess and town council of the borough of Franklin passed an ordinance admitting into said borough, lands in the townships of Sugar Creek, French Creek and Sandy Creek, lying adjacent to said borough; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the territory so admitted into said borough of Franklin, by the ordinance of the burgess and town council of said borough, shall forever thereafter be deemed and taken to be a part of said borough, and subject to the government and jurisdiction of the municipal authorities thereof, and all the persons resid-*

ing on said annexed territory, shall enjoy and have all the privileges and immunities of citizens of the old borough.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 352.

## AN ACT

(Granting to Anna Catharine Geip, Widow of an Old Soldier, an Annuity and Pension.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the state treasurer be and he is hereby directed to pay Anna Catharine Geip, widow of Henry Geip, a soldier of the Revolutionary war, the sum of forty dollars, and to pay her forty dollars a year during her life, payable on the first day of May in each year.*

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 353.

## AN ACT

To repeal an act relative to Hawkers and Pedlers in Butler county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

## LAWS OF PENNSYLVANIA,

an act relative to hawkers and peddlers in Butler county, approved February twenty-eighth, one thousand eight hundred and sixty, be and the same is hereby repealed.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 354.

## A N A C T

Concerning the borough of Ludwick, in the county of Westmoreland.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Jefferson street, in the borough of Ludwick, from the southern line of lots number forty-four (44) and twenty-seven (27) to the line of the Pennsylvania railroad, is hereby vacated.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 355.

## A S U P P L E M E N T

To an act to erect the town of Greensburg, in the county of Westmoreland, into a borough, approved February ninth, one thousand seven hundred and ninety-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*



from and after the passage of this supplement, the boundaries of the borough of Greensburg, in the county of Westmoreland, shall be as follows, viz: Beginning at a point in the centre of the track of the Pennsylvania railroad, immediately over the centre of the arch which passes the Greensburg and New Alexandria road; thence north sixty-six and one-fourth degrees west sixteen hundred and eighty-two feet, to the north-east corner of the Greensburg academy grounds; thence south eighty-seven degrees west twelve hundred and eighty-four feet, to a point in the centre of the Greensburg and Harrison City road; thence along the centre of said Greensburg and Harrison City road, to the centre of the track of said Pennsylvania railroad; thence along the centre of the track of said railroad to the corner of the borough of Ludwick; thence along the east side of said borough of Ludwick south seventeen and one-half degrees west three hundred and forty-six feet, to a point in the centre of the Greensburg and Pittsburg turnpike; thence along the centre of said pike north eighty-two degrees west one hundred and ninety-two feet; thence south eight hundred and ninety-one feet to the centre of the old Greensburg and Pittsburg turnpike; thence along said old turnpike south eighty-two degrees east three hundred and thirty feet; thence along a road leading from said old turnpike to the Greensburg and New Stanton road south thirty-four degrees east fifteen hundred and twenty-one feet; thence along said Greensburg and New Stanton road north fifty-three degrees east seven hundred feet; thence along the east side of a road leading to the Greensburg and Mount Pleasant road south thirty-two degrees east three hundred and fifty feet; thence south fifty-three and one-half degrees east ten hundred and twenty feet, to a point in the centre of the Greensburg and Mount Pleasant road; thence south twenty-one degrees east two hundred and sixty-six feet; thence north eighty degrees east two hundred and fifty feet; thence north twenty-two degrees east three thousand and ten feet, to a point in the centre of the Greensburg and Stoystown turnpike; thence north nine and one-half degrees east twelve hundred and thirty-eight feet, to the centre of the track of the Pennsylvania railroad, immediately over the centre of the arch which passes the Sewickley creek; thence along the centre of the track of said Pennsylvania railroad south seventy-four and one-half degrees west five hundred and ninety-three feet to the place of beginning. That the territory included within the aforesaid boundaries, and citizens residing within the same, shall be subject to and have the same right and privileges conferred by the act to which this is a supplement, and the ordinances enacted by the burgesses and assistant burgesses in pursuance of said act.

SECTION 2. That the territory included within the boundaries specified in the first section of this act, and the taxable inhabitants residing within the same, are hereby exonerated and exempted from the payment of road and school tax which has been or which may be assessed for the year eighteen hundred and sixty, by the proper authorities of the township of Hempfield, in said county of Westmoreland; and in lieu thereof, the school directors of the school district of the borough of Greensburg are hereby authorized to levy and collect a school, and the burgesses

Limits of the borough extended.

Territory and taxable inhabitants within the boundaries named in the first section, exempt from certain taxes.

and assistant burgesses of said borough are hereby authorized to levy and collect a borough, tax upon and from same territory and taxable inhabitants, for said year eighteen hundred and sixty.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 356.

## AN ACT

To protect Fruit, et cetera, and punish Trespass in the counties of Huntingdon, Washington, Allegheny, Berks, Lancaster, Lycoming and Delaware.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the wilful taking and carrying away of fruit, vegetables, plants, fruits or ornamental trees, vines or shrubs, in the counties of Huntingdon, Washington, Allegheny, Berks, Lancaster, Lycoming and Delaware, whether attached to the soil or not, shall be deemed, and the same is hereby declared, a misdemeanor, and may be prosecuted and punished as such, under the laws of this commonwealth, and on conviction thereof in the court of quarter sessions of said counties, shall be fined, not exceeding fifty dollars, and imprisoned, not exceeding sixty days; such fine or penalty to be appropriated as provided in the second section of this act.

Taking or carrying away fruit, vegetables, &c., deemed a misdemeanor.

Penalty.

Injury to orchards, trees, &c., deemed a misdemeanor.

SECTION 2. That any person or persons who shall wilfully enter or break down, through or over any orchard, garden or yard-fence, hotbed or green-house, or who shall wrongfully club, stone, cut, break, bark or otherwise mutilate or damage any nut, fruit or ornamental tree, shrub, bush, plant or vine, trellis, arbor, hotbed, hot or green-house, or who shall wilfully trespass upon, walk over, beat down, trample, or in anywise injure, any grain, grass, vines, vegetables or other growing crop, shall and may, on conviction thereof before any alderman or justice of the peace, or in any court of law in said counties, have judgment against him, her or them, in a sum not less than five, nor more than one hundred dollars, with costs of suit; one-half the damage or penalty to go to the use of the

informer, the other half of the damage or penalty to the occupant or owner of the premises on which the said trespass shall or may be committed; and in default of payment of said fine or judgment, with costs of suit, the party convicted may and shall be committed to the jail of said county, for not less than twenty, nor more than sixty days; said complaint or action to be in the name of the commonwealth, and the testimony of the owner or occupant of the premises shall be admitted as evidence to prove the trespass and damage sustained: *Provided*, Penalty. Provide. That when the owner of the premises shall become the informant, then one-half of the penalty shall be appropriated to the school fund of the district in which the trespass was committed.

ISAAC A. SHEPPARD,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 357.

## AN ACT

Relative to Licenses on Vehicles in the cities of Pittsburg and Allegheny, in the boroughs of Birmingham, East Birmingham, South Pittsburg and Manchester, and Dramatic Licenses in the city of Pittsburg.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the select and common councils of the cities of Pittsburg and Allegheny, and the burgess and council of each of the boroughs of Birmingham, East Birmingham, South Pittsburg and Manchester, are hereby authorized and empowered to enact ordinances, from time to time, establishing such rates of license as they may deem proper, on all carts, drays, wagons and other vehicles passing in or through said cities or boroughs, and to provide for the collection of the rates so ordained by them from all persons, firms or corporations not exempted by this act, that may use the streets of either of said cities or boroughs, whether resident or non-resident therein, under such penalties, not exceeding fifty dollars in each case, as they may prescribe: *Provided*, Councils of certain cities and boroughs authorized to fix rates of license on vehicles. Provide. That this act shall not apply to strangers or travelers passing through, or to farmers and dairymen offering produce for sale, and building materials, in any of said cities or boroughs: *And provided further*, That the rates of license in said cities shall Provide.

in no case exceed the rates now established by ordinance in the city of Pittsburg; and the rates in said boroughs shall in no case exceed one-half the rates now established in Pittsburg.

Licenses, how  
and to whom  
paid.

SECTION 2. That all persons subject to pay license under this act shall be required to pay the same to the proper officers of the city or borough in which they reside, and all persons not residing in any of said municipalities, and all firms or corporations subject to license as aforesaid, shall be required to pay the same to the proper officers of the municipality wherein the principal portion of their business is transacted, or their principal factory, mill, warehouse, store or place of business is located; and no person, firm or corporation that shall pay a license, according to the provisions of this act, to any one of said municipalities, shall be required to pay license to any other.

Dramatic or  
other public ex-  
hibitions to pay  
license.

SECTION 3. That the said select and common councils of the city of Pittsburg are also hereby authorized and empowered to confer upon the mayor of said city full power to collect licenses for dramatic or other public exhibitions in said city, and to proceed by summary conviction and fine in any sum not exceeding fifty dollars, in each case, against any person or persons refusing or neglecting to pay the licenses imposed by the ordinances of said city.

Construction of  
this act.

SECTION 4. That this act shall not be so construed in any case as in any way to impair, change, alter or affect the liability of passenger railway companies, under existing laws, to said cities or boroughs.

Repeal.

SECTION 5. That all laws or parts of laws inconsistent with this act, are hereby repealed.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 358.

## A FURTHER SUPPLEMENT

To an act, entitled "An Act approved the seventeenth day of March, Anno Domini one thousand eight hundred and fifty-eight, authorizing the Board of Canal Commissioners to examine the Claim of Thomas Morley."

WHEREAS, The canal commissioners neglected to examine said claims, and report the same to the state treasurer, as was

contemplated in the supplement of said act, consequently the said Morley has not been remunerated for damages :

*And whereas,* The said canal board has been abolished ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the auditor general, attorney general and state treasurer be and are hereby appointed commissioners to examine, adjust and settle, upon principles of justice and equity, the claim of Thomas Morley against the commonwealth of Pennsylvania, in Wyoming county, and it shall be the duty of said auditor general, attorney general and state treasurer, or a majority of them, to proceed to the performance of said duty, having given ten days' notice to the claimant of the time and place of meeting, receiving as evidence, on such examination, such depositions or witnesses as shall be produced before them on behalf of said claimant or the commonwealth ; and after such examination or hearing, the said auditor general, attorney general and state treasurer, or a majority thereof, shall make out and award thereon, and deliver the same to the auditor general, who shall draw his warrant upon the state treasurer for such amount, if any, as shall be by said commissioners awarded to said Morley, which shall be paid by the state treasurer, out of any moneys in the state treasury not otherwise appropriated : *Provided,* That in the opinion of the said commissioners, or a majority thereof, the commonwealth is liable for the same. They shall have all the powers given to referees and arbitrators in the act of sixteenth of June, one thousand eight hundred and thirty-six, relating to references and arbitrations.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 359.

## A SUPPLEMENT

To an act relative to certain parts of the Estate of Elizabeth Powel, deceased.

WHEREAS, By an act of the general assembly of this commonwealth, approved on the second day of February, Anno Domini one thousand eight hundred and thirty-six, reciting certain pro- Preamble.

visions of the will of Elizabeth Powel, formerly of the city of Philadelphia, deceased, the true date whereof is the twenty-second day of May, Anno Domini one thousand eight hundred and nineteen, it was enacted that any person who then had, or or thereafter should have or hold, under the said will, an estate, or use for life in an estate, called Powelton, thereby devised, should have power to grant and convey the said estate, and any and every part or parts thereof, in fee, reserving as the entire consideration thereof, a perpetual annual rent or rents, payable half yearly, and redeemable and extinguishable, as therein provided, by the payment of a sum of money, not less than sixteen years and two-thirds of a year's purchase of any such annual rent :

*And whereas*, Afterwards John Hare Powel, of the said city, being then entitled, under the said will, to an estate or use for life as aforesaid, and acting under and by virtue of the said act of assembly, by articles of agreement, dated the seventh day of July, Anno Domini one thousand eight hundred and fifty-one, and recorded at Philadelphia in deed book G W C, number one hundred and thirteen, page two, did contract to sell unto William C. Patterson, and others, the said estate, called Powelton, which was therein more particularly described, for the price or sum of three hundred and fifty thousand dollars, to be paid in a ground rent or ground rents to be reserved out of the said estate; and by the third article of the said agreement, it was agreed that the ground rents which might be reserved out of separate parts of the estate, should be charged and apportioned upon several certain sections of the said estate, according to certain rates or valuations in the said article particularly set forth :

*And whereas*, The said John Hare Powel afterwards, in pursuance of the said articles of agreement, by indenture, dated the second day of May, Anno Domini one thousand eight hundred and fifty-three, and recorded as aforesaid in deed book T H, number eighty-four, page seventy-three, by and with the concurrence, and at the request of the said William C. Patterson, and others, parties of the second part to the said articles, did grant and convey unto the Pennsylvania railroad company, their successors and assigns, a tract of thirty acres of land, in the late district of West Philadelphia, and now city of Philadelphia, part of the said estate, called Powelton, reserving thereout, unto Robert Hare and Hartman Kuhn, the then trustees under the will of the said Elizabeth Powel, and parties of the second part to the said indenture, the yearly rent or sum of eleven thousand dollars, in trust for the uses and purposes set forth and declared in the said will; and by another indenture, likewise bearing date the second day of May, Anno Domini one thousand eight hundred and fifty-three, and recorded as aforesaid in deed book T H, number eighty-four, page eighty-five, he, the said John Hare Powel, did grant and convey to the said William C. Patterson, and others, parties of the second part to the said articles of agreement, the residue of the said estate called Powelton, described therein as containing ninety-three acres, more or less, reserving thereout, to the said then trustees under the said will,



the yearly rent or sum of ten thousand dollars, in trust for the uses and purposes aforesaid :

*And whereas,* At the time of the execution of the said articles of agreement, it was the understanding and intention of the parties thereto that the said William C. Patterson, and others, their heirs and assigns, after three months' previous notice, and upon the payment by them of any sum, not less than five thousand dollars at any one time, on account of the principal of any one of the ground rents to be reserved upon the conveyance of the said estate as aforesaid, should be entitled at any time to have such rent or rents proportionately abated, and a just proportion of such estate exonerated from the lien of the same, according to certain rates then agreed upon ; but it has been doubted whether this understanding and intention have been sufficiently expressed in the said articles of agreement, and carried into effect by the terms of the said two above recited indentures :

*And whereas,* To confer upon the trustees under the said will the power of releasing parcels of the said estate from the lien of the said ground rents, would facilitate the improvement of the whole of the estate, and thereby increase the value and security of the said rents :

*And whereas,* The said John Hare Powel being deceased, his son Samuel Power, of the city of Philadelphia, is the person now entitled, under the said will and act of assembly, to an estate, or use for life, in the said two yearly ground rents of eleven thousand dollars, and ten thousand dollars respectively ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said Samuel Powel shall have power, at one time, or from time to time, by agreement with any persons or corporations in whom the said tract of land conveyed by the said two several above recited indentures, or any part thereof, is, are or shall be vested, to ascertain and specifically determine, according to the rates or valuation set forth in the third article of the first above recited agreement of the seventh day of July, Anno Domini one thousand eight hundred and fifty-one, the sums which ought to be paid for the abatement or release of the said rents, with respect to such smaller parcels, sub-divisions or sections of the said estate, called Powelton, as shall be designated and agreed upon : *Provided,* That not less than the sum of five thousand dollars shall be thereby made payable for the release of any one such parcel, sub-division or section.

Samuel Powel authorized to make agreement relative to releases or abatements.

Proviso.

SECTION 2. That when, and as often as such agreement shall be made as is above provided, it shall be lawful, at any time thereafter, for any person or corporation, being the owner of any such parcel, sub-division or section of the said estate so as aforesaid ascertained and defined, upon three months' previous notice, in writing, of his, her or their intention so to do, to tender and pay to the trustees or trustee, for the time being, under the will of the said Elizabeth Powel, such sum or sums, not being less than five thousand dollars, as shall have been so agreed to be made payable in abatement of the ground rent or ground rents aforesaid with respect to the particular parcel, sub-division or

Persons making agreements, the right to pay to the trustee the amounts agreed upon, &c.

section, the same being always estimated in silver money of the weight and standard particularly specified in the said two indentures, together with the proportionate arrears of ground rent then due or accrued with respect thereto; whereupon, it shall be the duty of the said trustees or trustee, for the time being, and they or he are or is hereby authorized, in due form of law, and at the proper costs and charges of the person or corporation so paying such sum or sums, to release and exonerate the said parcel, section or sub-division from the lien of either or both of the said yearly rents, as the case may be, and to abate and proportionately reduce the particular rent or rents, and the principal or extinguishment moneys thereafter to be paid in respect thereto; whereupon, and so often as this shall be done, the covenants, conditions and provisions set forth and contained in that one or both of the said above recited indentures, by which the particular rent or rents so abated or reduced was or were reserved, shall thenceforth, for all purposes of remedy, action or otherwise, be held and construed to extend and apply to such abated rent or rents, and principal or extinguishment moneys, and to the remainder of the said tract or tracts of land other than the parts so released as aforesaid, as though the same had been originally, and by proper terms therein and thereby mentioned, reserved, expressed and described: *Provided*, That all sums to be received by the said trustees or trustee, for the time being, in pursuance of this act, not being arrears of ground rent, shall be invested in the debt of the United States, or of this state, or of the city of Philadelphia, or in real securities or ground rents, in the manner, and under the authority prescribed by the act of assembly to which the act is a supplement, in respect to the extinguishment moneys of the said ground rents, and in like manner, without liability on the part of the party paying the same, to see to the investment and application thereof.

Provide

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 360.

## A N A C T

To authorize the Trustees of the German Reformed Congregations of Chestnut Hill, Ross, Pocono and Jackson townships, in the county of Monroe, to sell and convey certain Real Estate.

WHEREAS, The German Reformed congregations of Chestnut Hill, Ross, Pocono and Jackson townships, in the county of Monroe, have and possess eighteen acres of land, with a dwelling house, barn and other buildings thereon erected, situate in Chestnut Hill township, in said county:

*And whereas*, The said property has become inconvenient to said congregation:

*And whereas*, The said congregations desire to sell the said real estate, for the purpose of paying certain debts; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That James Kresge and Peter Kresge, trustees of the German Reformed congregations of Chestnut Hill, Ross, Pocono and Jackson townships, in Monroe county, be and they are hereby authorized and empowered to sell, at public sale, eighteen acres of land, with dwelling house, barn and other buildings thereon erected, situate in Chestnut Hill township, Monroe county, now owned and possessed by the congregations aforesaid, for the purpose of paying the debts of said congregations, and to make and deliver to the purchaser or purchasers thereof a good and sufficient deed for the same.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 361.

## A N A C T

Referring a certain Claim to the Auditor General, State Treasurer and Attorney General, for their report to the next Legislature.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That

the auditor general, state treasurer and attorney general be and they are hereby authorized and required to examine into the claim of the sureties of Henry D. Rodemarmel, late supervisor on the Susquehanna division of the Pennsylvania canal, and they, or a majority of them, to report to the legislature, at their next session, whether anything is justly and equitably due said sureties from the commonwealth; and if anything is so due, the nature and amount thereof.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 362.

## AN ACT

Relative to the Claim of John Gemmill, of Huntingdon county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the auditor general, attorney general and state treasurer be and they are hereby authorized and required to examine the claim of John Gemmill, of Huntingdon county, for damages done to his real estate, situated in Porter township, in said county, by the flooding of cultivated lands, by water, from a certain waste wier on the Upper Juniata division of the Pennsylvania canal, by leakage from said canal, from the year one thousand eight hundred and thirty-seven, to and including the year one thousand eight hundred and fifty-seven, and by the great freshets of one thousand eight hundred and thirty-eight, one thousand eight hundred and forty-seven, and one thousand eight hundred and fifty-one, and to report the amount of damages they may assess to the legislature, during the present or at its next session.*

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 363.

## AN ACT

To authorize the Directors of the Poor and House of Employment for the county of Montgomery to sell and convey two acres of Ground to the Black Rock Bridge Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the directors of the poor and house of employment for the county of Montgomery be empowered to sell and convey to the Black Rock bridge company, any quantity of ground, not exceeding two acres, for the purpose of establishing a tenement thereon for the toll collector of said company, and for such other necessary purposes as the wants of the company may require; and that the court of said county be authorized to appoint three disinterested persons to set a valuation upon the same.

Authorized to sell and convey certain real estate to Black Rock bridge company.

SECTION 2. The aforesaid directors, or their successors, shall be authorized and empowered to make and deliver a good and lawful deed of conveyance for a piece of land, containing one hundred and twenty-eight perches of land, (more or less,) as per survey made of the same on the thirtieth day of July, Anno Domini one thousand eight hundred and fifty-five, now in the occupancy of the school directors of Upper Providence township, as per agreement of the aforesaid directors of the poor and of the said school district, to hold the same to them the said school directors, their successors and assigns.

Authorized to convey certain land to school directors of Providence township.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 364.

## AN ACT

To survey, ascertain, mark and establish that part of the dividing line between Westmoreland and Fayette counties, which lies between the Youghiogheny and Monongahela rivers.

**Commissioners.** SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* E. F. Housman, of the county of Westmoreland, J. S. Van Voorhis and H. F. Blythe, of the county of Fayette, are hereby appointed commissioners, with authority to survey, ascertain, mark and establish that part of the dividing line between Westmoreland and Fayette counties, which lies between the Youghiogheny and Monongahela rivers.

**Duties of.** SECTION 2. That said commissioners, after having first taken and subscribed an oath or affirmation before a justice of the peace to perform the duties enjoined on them by this act with impartiality and fidelity, shall go upon the ground and carefully survey, ascertain, mark and establish that part of the dividing line between the counties of Westmoreland and Fayette, as lies between the Youghiogheny and the Monongahela rivers.

**Further duties.** SECTION 3. That it shall be the duty of said commissioners, on or before the first day of September, Anno Domini one thousand eight hundred and sixty, to survey and mark said line by distinct and permanent marks, and to make two drafts of the same, certified under their hands, with courses and distances plainly laid down, one of which they shall deposit in each of the prothonotary's offices of said counties as soon thereafter as practicable, and if approved by the court of common pleas of said counties, shall be considered as a public record.

**Compensation.** SECTION 4. That said commissioners shall receive for their services the sum of two dollars per day, and necessary expenses, for and during the time they shall be actually engaged in the discharge of their duties; and the commissioners shall have authority to appoint two assistants; said assistants each shall receive for their services the sum of two dollars per day; and also one surveyor, who shall receive for his services three dollars per day. All the aforesaid expenses shall be paid by the said counties, each county paying one-half of said expenses; said payments to be made by warrants drawn on the treasurers by the county commissioners of their respective counties: *Provided*, That the duties herein imposed shall be completed in five days, and no pay shall be given for a longer period.

**Proviso.** SECTION 5. That in case either of the above named commissioners shall refuse to serve, or in the event of sickness or death of either, the other two shall appoint a suitable person, a resi-

**Vacancies, how filled.**



dent of the same county in which the person resided who caused the vacancy as commissioner.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 365.

A N A C T

Relating to the hunting of Deer in certain counties of this Commonwealth.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of an act, entitled "An Act to prevent the destruction of deer in certain counties of this commonwealth," approved the thirtieth of March, one thousand eight hundred and fifty-nine, and so much of another act, entitled "An Act to prevent the hunting of deer with dogs in certain counties of this commonwealth," approved the fourteenth of April, one thousand eight hundred and fifty-nine, be and the same are hereby repealed, so far as relates to Wayne county.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER

No. 366.

## A N A C T

Extending the Terms of the Courts of the county of Lycoming.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the several courts of common pleas, orphans' court, court of quarter sessions and oyer and terminer, shall hereafter be commenced, in the county of Lycoming, on the third Mondays of January, April, August and November, and continue three weeks, if necessary; and so much of any law as is hereby altered be and the same is hereby repealed.*

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 367.

## A N A C T

To vacate two certain Streets in the Square bounded by Spruce, Pine, Twentieth and Twenty-first streets, in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That in conformity with two certain ordinances of the city councils of Philadelphia, approved respectively on the ninth day of May, Anno Domini one thousand eight hundred and fifty-nine, and on the fifth day of December, Anno Domini one thousand eight hundred and fifty-nine, two certain fifty feet wide streets, one of them commencing on the west side of Twentieth street, at the distance of one hundred and seventy-eight feet southward from the south side of Spruce street, in the said city, and extending westward of the width of fifty feet to Twenty-first street, and the other of them commencing on the west side of Twentieth street, at the distance of two hundred and seventy-*

three feet southward from the south side of Spruce street, in the said city, and extending westward of the width of fifty feet to Twenty-first street, be and the same are hereby vacated.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 368.

## AN ACT

Appointing Commissioners to erect a Lock-up House at Summit Hill, in the township of Mauch Chunk, county of Carbon, and authorizing and directing the Supervisors of said township to levy and collect a sufficient amount of Tax to defray the expenses of erecting said Building.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That James M'Lean, junior, William Sharpe, William M'Kewer, esquire, George Kline and A. J. Wintersteen, be and are hereby appointed commissioners to build, or cause to be built, at the town of Summit Hill, township of Mauch Chunk, Carbon county, a suitable building, or place, for the security and detention of any person or persons committed by any justice of the peace in the aforesaid township, for any violation of the laws of this commonwealth, for which such person or persons could be lawfully committed to the common jail of said county of Carbon, there to remain and be kept until such offender or offenders can be removed to the said common jail, if committed for an indictable offence, or until discharged according to law: *Provided,* That no person or persons shall be confined in said lock-up house, at any one time, for a longer period than forty-eight hours, except such person or persons be charged with an indictable offence, and it be necessary to detain him or her or them for a legal examination.

Commissioners to  
build lock-up.

Purposes of.

Proviso.

SECTION 2. That the legal fees for the arrests, commitments and safe keeping of any person or persons in said house, on a charge of any indictable offence, shall be taxed by the proper authority and paid by the prosecutor or defendant, or the county of Carbon, as the issue of the case may require and be determined.

Fees.

Cost of erection,  
how paid.

SECTION 3. That the supervisors of the said township are hereby authorized and required to appropriate and pay, for the erection of said lock-up house, upon orders drawn by the commissioners appointed by this act, any sum, not exceeding, in the whole, three hundred dollars.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 369.

## AN ACT

To incorporate St. Joseph's College, in the county of Susquehanna.

College estab-  
lished.

Style.

Management  
and direction.

First trustees.

Powers and pri-  
vileges.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That there be and hereby is erected and established at St. Joseph's, in the county of Susquehanna, a college for the education of persons in the various branches of science, literature and ancient and modern languages, by the name, style and title of St. Joseph's college.

SECTION 2. That the said college shall be under the management, direction and government of nine trustees, who shall appoint a president and faculty; and a majority of said trustees shall be a quorum, and competent to fill vacancies in their own body, and to prescribe the duties authorized and required to be performed by said president and faculty.

SECTION 3. That the first trustees of said college shall consist of the following persons: John Boyle, John Vincent O'Rielly, James Carrigan, James F. Wood, Christopher Burns, Hugh Monaghan, Michael Kane, junior, Henry Fitsimmons and P. Maher; which said trustees, and their successors, to be appointed as aforesaid, shall be forever hereafter, and they are hereby erected into and declared to be a body politic and corporate, with perpetual succession, and with all the incidents of a corporation, in deed and in law, to all intents and purposes whatsoever, under the name, style and title as aforesaid; and the said trustees, and their successors, shall be able and capable, at law and in equity, to take to themselves, for the use of said college, any estate, not exceeding four acres, in any messuages, lands, tenements, hereditaments, goods, chattels, moneys or other effects, by gift,

grant, bargain, sale, conveyance, assurance, will, devise or bequest of any person or persons or corporation whatsoever: *Provided*, That the total value of said estate does not exceed ten thousand dollars; and the said trustees shall have power over the said estate, to grant, bargain, sell, convey, assign, demise, and to farm, let and place on interest, or otherwise dispose of, or invest for the use of the said college, in such manner as to them shall seem most beneficial, and to receive the rents, issues and income of the same, and to apply the same to the proper use of said college; and by the same name to sue, commence actions, prosecute and defend, implead and be impleaded, in any courts of law and equity, and in all manner of suits and actions whatsoever; and generally, by and in the corporate name, style and title aforesaid, to do and transact all and every business, the education of youth and others, and the management of the estate aforesaid, together with the buildings thereon erected, as fully and effectually as any natural person, or body politic and corporate, have power to manage their own concerns.

SECTION 4. That the said trustees may cause to be made for their use a common and corporate seal, with such devices and inscriptions thereon as they may deem proper, and by and with which all deeds, diplomas, certificates, appointments and acts of said corporation shall pass and be authenticated, and the same seal at their pleasure to break, alter and renew.

SECTION 5. That the president and professors for the time being of said college, shall have power to grant and confirm such degrees in the arts and sciences to such students of the college, and others, when, by their proficiency in learning, professional eminence or other meritorious distinction, shall be entitled thereto, as they may see fit, or as are granted in other colleges and universities in the United States, and to grant to graduates, or persons on whom such degrees may be conferred, diplomas or certificates, as is usual in the colleges and universities aforesaid.

SECTION 6. That the trustees, or a majority of them, and the president and professors, by the authority of the trustees, shall have power to make rules, laws and ordinances, and the same to alter and repeal, and to do everything needful for the support and government of the college: *Provided*, That the said rules, laws and ordinances, or any of them, be not in violation of the laws and constitution of this commonwealth or of the United States.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 370.

## A N A C T

For the protection of persons navigating the Allegheny and Monongahela rivers.

*SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* from and after the passage of this act it shall be the duty of all persons, corporations, companies, or any other person or persons whatever, having or owning, or who may hereafter have or own any bridge or aqueduct, or any other structure spanning the Allegheny river, and resting upon piers or other support in said river, at any point or place thereon between its confluence with the Monongahela river and Warren, Warren county, Pennsylvania, to keep a light or lights burning on each pier, at all hours of the night, when the said river is in navigable stage for boats or rafts, so that said light or lights may be readily seen by persons descending said river, at all hours between dark in the evening, and daylight in the morning.

Lights to be kept burning at piers or structures over the Allegheny river.

*SECTION 2. All companies or corporations having or owning, or which may hereafter have or own any bridge or other structure spanning the Monongahela river between its confluence with the Allegheny river and the borough of Elizabethtown, in the county of Fayette, are hereby required to keep a light or lights burning from dark till daylight, throughout the night, on each pier of each bridge or structure, so that said light or lights may be readily seen at all hours of the night by persons navigating said river.*

Lights to be kept burning at piers or structures over the Monongahela river.

Penalty for refusing to conform to provisions of this act.

*SECTION 3. That any person or persons, corporations or company whatever as aforesaid, who shall neglect or refuse to conform to the spirit and intent of this act, as contained in the first section, shall, for every such omission, neglect or refusal, become liable to pay any sum not exceeding one hundred dollars, and pay all damages that may happen from said refusal or neglect; one-half of said fine shall go to the person that shall sue therefor, and the other half shall be paid into the school fund of this commonwealth; which suits may be brought in the name of the commonwealth of Pennsylvania, in any county in which either or both ends of such bridge, aqueduct or structure as aforesaid may be: *Provided*, That no suit shall be brought under the provisions of this act, after ninety days after the cause of action may accrue: *And provided further*, That nothing contained herein shall be so construed as to affect the liabilities of any such companies, corporations, person or persons as aforesaid, to the owner or owners of said craft, boat or raft, for in*

Proviso.

Proviso.



juries sustained by them by reason of such bridge, aqueduct or structure as aforesaid, under existing law.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 371.

## A N A C T

Relating to the Powelton Estate in West Philadelphia, held by or for the Pennsylvania Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Pennsylvania railroad company be and they are hereby authorized and empowered to take and receive from the Girard life insurance, annuity and trust company of Philadelphia, a conveyance of, and to hold, in fee simple, such part or parts as have not been sold, of a certain tract or parcel of land part of the Powelton estate, which William C. Patterson and wife, and others, by indenture, dated the twenty-first day of November, Anno Domini one thousand eight hundred and fifty-three, recorded at Philadelphia, in deed book T H, number one hundred and one, page five hundred and forty-seven, et cetera, granted unto the said the Girard life insurance, annuity and trust company of Philadelphia, in trust for the use and benefit of the said railroad company, and for the purpose of selling, as therein set forth; and the said railroad company are hereby authorized and empowered to sell and dispose of such parts of the said premises so to be conveyed to them, as, in the opinion of the directors of the said company, shall not be necessary for the uses and purposes of the company, and to grant and convey the same to the purchasers thereof, in fee simple, upon ground rent or otherwise; and in case any such sale be made in consideration of a yearly ground rent, to be reserved to the said company and to remain charged upon the land so sold, then the said company are authorized to hold, and stand seized, of any such yearly rent, with the rights, incidents and appurtenances

thereto belonging, and to sell and dispose of the same when they may deem it expedient.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 372.

## A SUPPLEMENT

To an act to enable Joint Tenants, Tenants in Common, and Adjoining Owners of Mineral Lands in this Commonwealth to manage and develop the same.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* in order the better to limit and restrict the amount of liabilities to the actual capital of all companies formed under the act to enable joint tenants, tenants in common and adjoining owners of mineral lands in this commonwealth to manage and develop the same, approved the twenty-first day of April, one thousand eight hundred and fifty-four, and to provide for the protection of both the creditors and stockholders thereof, the total amount of the debts and liabilities (other than its capital stock) of any such company shall never exceed the amount of its capital actually paid in; and if any debts or liabilities shall be contracted exceeding the said amount, the directors and officers contracting the same, or assenting thereto, shall be jointly and severally liable, in their individual capacities, for the whole amount of such excess, and the same may be recovered by action of debt as in other cases.

SECTION 2. That the stockholders of all such companies shall be jointly and severally liable, in their individual capacities, for all debts and contracts made by their respective companies, to the amount remaining unpaid on each share of stock held by them respectively, and shall be liable, in like manner, for all debts due to mechanics, workmen and laborers employed by their company: *Provided however, That* no stockholder, director or officer shall be held individually liable for any such debt as aforesaid, unless the same shall have been sued for within one year after the time at which it was contracted.

Debts and liabilities of companies, relative to.

Individual liability.

Proviso.

SECTION 3. The provisions of the act to which this is a supplement, and the various supplements thereto, shall apply to lands held under lease, as well as to lands held in fee simple.

SECTION 4. That so much of the act to which this is a supplement, and the several supplements thereto, as are supplied by this act, or are inconsistent herewith, be and the same are hereby repealed. Repeal.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*  
WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 373.

## A N A C T

Authorizing a settlement of the account of Brandon and Company against the State.

WHEREAS, By an agreement, in writing, made the twentieth of May, one thousand eight hundred and fifty-two, between the commonwealth and Thomas Brandon and company, of Danville, the latter agreed to and did furnish a specified number of bolts, plates, screws, et cetera, for the state, to be used in completing the track of the new road on the Allegheny mountain, as set forth by the agreement:

*And whereas,* Only a portion of the specified amount to be paid has been received by the said Brandon and Company; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the auditor general and state treasurer are hereby authorized and directed to examine the account of Brandon and Company against the state, for iron bolts, screws, et cetera, furnished under agreement, and report any balance found due the said firm to the legislature.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 374.

## A N A C T

To Consolidate, Revise and Amend the Penal Laws of this Commonwealth.

## GENERAL SUMMARY.

TITLE I. *Offences against the State.*

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|-------------|---------------------------|
| 1. Treason. | 2. Misprision of treason. |
|-------------|---------------------------|

TITLE II. *Offences against Public Justice.*

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|---|---|
| 3. Escape in criminal cases.  | 10. Compounding crimes.   |
| 4. Aiding a prisoner in escaping.   | 11. Dissuading a witness from testifying.                               |
| 5. Voluntary escape by officers in criminal cases.  | 12. Extortion in taking illegal fees.                                   |
| 6. Escape by negligence of officers or keepers of prisons.  | 13. Embracery.  |
| 7. Refusal by an officer to arrest or receive an offender, or voluntarily permitting him to escape when in custody. | 14. Perjury and subornation thereof.                                    |
| 8. Obstructing the execution of legal process, rescuing a prisoner in custody, and refusing to aid an officer.      | 15. Making false entries, and destroying or abstracting public records. |
| 9. Barratry.  | 16. False personating.  |
|   | 17. Misdemeanors of district attorney.                                  |
|   | 18. Mode of proceeding against such district attorney.                  |

TITLE III. *Offences against the Public Peace.*

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|---|--|
| 19. Riots, routs, unlawful assemblies and aggravated riots. | 24. Libels.  |
| 20. Riotous destruction of buildings or machinery.          | 25. Sending a challenge to fight.                  |
| 21. Forcible entry.   | 26. Carrying or delivering a challenge.            |
| 22. Forcible detainer.                                      | 27. Concealing the knowledge of a challenge.       |
| 23. Threatening letters.                                    | 28. Posting another for not accepting a challenge. |
|   | 29. Furious driving and racing.                    |

TITLE IV. *Offences against Public Morals and Decency.*

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|---|---|
| 30. Blasphemy.  | 39. Incestuous fornication.                                 |
| 31. Disturbing public worship or other public assembly. | 40. Obscene libels.   |
| 32. Sodomy.   | 41. Seduction.  |
| 33. Attempt and solicitation to commit sodomy.          | 42. Keeping a disorderly house.                             |
| 34. Bigamy.   | 43. Keeping a bawdy house, or leasing a house for the same. |
| 35. Knowingly marrying the wife or husband of another.  | 44. Open lewdness.  |
| 36. Adultery.   | 45. Abandoning infants.                                     |
| 37. Fornication and bastardy.                           | 46. Cruelty to animals.                                     |
| 38. Place of trial for the offence.                     | 47. Violation of sepulchre.                                 |

TITLE V. *Offences against Public Policy, Economy and Health.*

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|---|--|
| <p>43. Bribery.</p> <p>49. Witness testifying, to be exempt from prosecution.</p> <p>50. Taking bribes by electors.</p> <p>51. Corruptly influencing and intimidating electors.</p> <p>52. Illegal lotteries nuisances.</p> <p>53. Erecting and setting up an illegal lottery.</p> <p>54. Selling tickets, policies, &amp;c., in an unlawful lottery.</p> <p>55. Gambling.</p> <p>56. Common gamblers.</p> <p>57. Enticing others to visit gambling houses.</p> <p>58. No witness exempt from testifying.</p> <p>59. Authorizing the seizure of implements to prove the charge.</p> <p>60. General authority to seize gambling instruments.</p> | <p>61. No writ of replevin to issue therefor.</p> <p>62. Loaning public money by officers.</p> <p>63. Depositing public money for gain by officers.</p> <p>64. Cashiers of banks prohibited from following any other business or occupation.</p> <p>65. Embezzlement by public officers.</p> <p>66. Malversation by corporation officers.</p> <p>67. Solicitation to commit said offence.</p> <p>68. Issuing certificates as currency by corporation officers.</p> <p>69. Selling unwholesome provisions, or adulterated liquors or medicines.</p> <p>70. Selling poisons.</p> <p>71. Importing criminals.</p> <p>72. Revealing telegraph dispatches.</p> <p>73. Public nuisances.</p> |
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TITLE VI. *Offences against the Persons of Individuals.*

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| <p>74. Murder.</p> <p>75. Punishment for murder of the first degree.</p> <p>76. Punishment for murder of the second degree.</p> <p>77. Petit treason abolished.</p> <p>78. Voluntary manslaughter.</p> <p>79. Involuntary manslaughter.</p> <p>80. Malicious mayhem.</p> <p>81. Administering poison, stabbing, cutting or wounding.</p> <p>82. Attempting to administer poison, shoot, drown, suffocate or strangle.</p> <p>83. Cutting and maiming, with intent to disfigure.</p> <p>84. Injuring by any explosive substances.</p> <p>85. Causing to explode, or sending an explosive substance.</p> <p>86. Administering stupefying mixtures with criminal intent.</p> | <p>87. Death following attempt to procure abortion.</p> <p>88. Procuring or attempting to procure abortion.</p> <p>89. Concealing the death of a bastard child.</p> <p>90. Maltreatment of infants and apprentices.</p> <p>91. Rape and carnal knowledge of female children.</p> <p>92. What shall be sufficient proof of carnal knowledge.</p> <p>93. Assault with intent to commit rape.</p> <p>94. Taking or enticing a child away from its parents.</p> <p>95. Kidnapping.</p> <p>96. Sale of fugitive slaves to be void.</p> <p>97. Assault and battery.</p> <p>98. Aggravated assault.</p> <p>99. Modified verdicts in cases of felonious assaults.</p> |
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TITLE VII. *Offences against Personal Property.*

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| <p>100. Robbery, being armed with an offensive weapon.</p> <p>101. Robbery, by threats to accuse of an infamous crime.</p> <p>102. Robbery, stealing from the person and by menaces.</p> <p>103. Larceny.</p> <p>104. Stealing certain property made larceny.</p> <p>105. Horse stealing.</p> <p>106. Stealing lead, iron, &amp;c., from houses.</p> <p>107. Clerks, servants, or other employees, stealing property of their master or employer.</p> <p>108. Larceny by bailee.</p> <p>109. Receiving stolen goods.</p> <p>110. Trial of receiver.</p> <p>111. Cheats by fraudulent pretences.</p> <p>112. Cheating lodging house keepers.</p> | <p>113. Embezzlement, by trustees, of trust property.</p> <p>114. Embezzlement by bankers.</p> <p>115. Embezzlement by attorneys in fact.</p> <p>116. Embezzlement by officers of banks and other corporations.</p> <p>117. Keeping fraudulent accounts.</p> <p>118. Wilfully altering, destroying or mutilating books of a corporation.</p> <p>119. False statements by officers or members of corporations.</p> <p>120. Receiving property fraudulently disposed of.</p> <p>121. Punishment for the foregoing misdemeanors.</p> <p>122. Construction of the preceding sections.</p> |
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| <p>123. No person exempt from answering questions in court.</p> <p>124. Definition of the words "trustee" and "property," in this title.</p> <p>125. Embezzlement by consignees and factors.</p> <p>126. Embezzlement by transporters of merchandise; buying and receiving goods so embezzled.</p> <p>127. Conspiracy to indict.</p> <p>128. Conspiracy to defraud.</p> | <p>129. Fraudulently destroying any deed or other security.</p> <p>130. Fraudulently secreting or removing property by debtor.</p> <p>131. Fraudulent insolvency.</p> <p>132. Punishment of the aforesaid offence.</p> <p>133. Indictment to be tried at second term.</p> <p>134. Colluding with an insolvent for concealment of his effects.</p> |
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*TITLE VIII. Offences against Real Property and Malicious Mischief.*

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| <p>135. Burglary.</p> <p>136. Breaking and entering a dwelling house in the day time, with intent to commit felony.</p> <p>137. Arson.</p> <p>138. Burning out-houses, &amp;c., and setting fire with intent to burn.</p> <p>139. Setting fire with intent to defraud insurers.</p> <p>140. Firing woods.</p> <p>141. Attempting to blow up building.</p> <p>142. Malicious injury to railroads.</p> <p>143. Casting wood, stone, &amp;c., upon a car.</p> <p>144. Malicious injury to artificial navigation.</p> <p>145. Wantonly opening or shutting any lock, et cetera.</p> | <p>146. Destroying any bank or wall.</p> <p>147. Destroying or damaging bridges, buoys, flag staffs, houses, et cetera.</p> <p>148. Breaking windows, tearing off knockers, et cetera.</p> <p>149. Injury to the grounds of the Capitol hill.</p> <p>150. Drowning any mine or filling up any shaft.</p> <p>151. Maliciously injuring fire engines or hose.</p> <p>152. Cutting down timber trees.</p> <p>153. Removing or destroying land marks.</p> <p>154. Killing, maiming or wounding cattle</p> <p>155. Malicious injury to works of art.</p> |
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*TITLE IX. Offences against the Coin, and Forgery.*

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| <p>156. Counterfeiting coin.</p> <p>157. Coloring counterfeit coin or any pieces of metal, with intent to pass the same.</p> <p>158. Impairing the coin.</p> <p>159. Buying and selling counterfeit coin.</p> <p>160. Uttering counterfeit gold and silver coin.</p> <p>161. Making, mending or having possession of coining tools.</p> <p>162. Offences relating to the copper coin.</p> <p>163. What shall be sufficient proof of being counterfeit.</p> <p>164. Counterfeiting bank notes and checks, and altering, passing and selling the same.</p> <p>165. Having in possession plates, bank notes or bank note paper.</p> | <p>166. Connecting parts of notes so as to produce more.</p> <p>167. Having in possession more than ten forged notes, with intent to defraud.</p> <p>168. Passing notes of fictitious banks.</p> <p>169. Fraudulent making or altering any written instrument.</p> <p>170. Forging public seals.</p> <p>171. Embezzling or corrupting records.</p> <p>172. Counterfeiting public brands.</p> <p>173. Counterfeiting trade marks.</p> <p>174. Having possession of dies, plates, &amp;c., with intent so to use them.</p> <p>175. Vending goods fraudulently marked.</p> <p>176. Forged telegraphic messages.</p> |
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*TITLE X. General Provisions.*

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| <p>177. Capital punishment.</p> <p>178. Crimes not provided against to be punished as heretofore.</p> <p>179. Restitution to be awarded in certain cases, and party aggrieved to be a competent witness.</p> | <p>180. Accessories.</p> <p>181. Sentence fulfilled to effect a pardon.</p> <p>182. Second conviction, after punishment by labor, of similar offences.</p> <p>183. Acts of Assembly to be strictly pursued.</p> <p>184. Explanatory of general terms.</p> |
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TITLE I. *Offences against the State.*

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* if any person owing allegiance to the commonwealth of Pennsylvania, shall levy war against the same, or shall adhere to the enemies thereof, giving them aid and comfort within the state or elsewhere, and shall be thereof convicted on confession in open court, or on the testimony of two witnesses, to the same overt act of the treason whereof he shall stand indicted, such person shall, on conviction, be adjudged guilty of treason against the commonwealth of Pennsylvania, and be sentenced to pay a fine not exceeding two thousand dollars, and undergo an imprisonment, by separate and solitary confinement at labor, not exceeding twelve years.

Treason.

SECTION 2. If any person, having knowledge of any of the treasons aforesaid, shall conceal, and not as soon as may be disclose and make known the same to the governor or attorney general of the state, or some one of the judges or justices thereof, such person shall, on conviction, be adjudged guilty of misprision of treason, and shall be sentenced to pay a fine not exceeding one thousand dollars, and undergo an imprisonment, by separate or solitary confinement at labor, not exceeding six years: *Provided always,* That nothing herein contained shall authorize the conviction of any husband or wife for concealing any treasons committed by them respectively.

Misprision of treason.

Provide.

TITLE II. *Offences against Public Justice.*

SECTION 3. If any person arrested and imprisoned, charged with an indictable offence, shall break prison, or escape, or shall break prison, although no escape be actually made, such person shall be guilty of a misdemeanor, and on conviction, be sentenced to undergo an imprisonment, by separate or solitary confinement at labor, not exceeding two years, if the criminal charge on which such person stood committed, was a crime or misdemeanor punishable on conviction, by imprisonment by separate or solitary confinement at labor; or to imprisonment not exceeding one year, if such charge was a crime or misdemeanor punishable on conviction, by simple imprisonment without labor; if any prisoner imprisoned in any penitentiary or jail, upon a conviction for a criminal offence, other than murder in the first degree, or where the sentence is for imprisonment for life, shall break such penitentiary or jail, although no escape be actually made by him, such person shall be guilty of a misdemeanor, and upon conviction of said offence, shall be sentenced to undergo an imprisonment, to commence from the expiration of his original sentence, of the like nature, and for a period of time not exceeding the original sentence, by virtue of which he was imprisoned, when he so broke prison and escaped, or broke prison although no actual escape was made by him.

Escape in criminal cases.

SECTION 4. If any person shall aid or assist a prisoner, lawfully committed or detained in any jail for any offence, to make or to attempt to make his escape therefrom, although no escape

Aiding a prisoner in escaping.

be actually made, or if any person shall convey, or cause to be delivered, to such prisoner, any disguise, instrument or arms proper to facilitate the escape of such prisoner, although no escape or attempt to escape be actually made, he shall, on conviction, be deemed guilty of a misdemeanor, and be sentenced to undergo an imprisonment, by separate or solitary confinement at labor, or by simple imprisonment, not exceeding two years; and if any person shall aid or assist any prisoner to escape, or attempt to escape from the custody of any sheriff, constable, officer or other person who shall have the lawful charge of such prisoner, every person so offending, shall be guilty of a misdemeanor, and on conviction, be sentenced to pay a fine not exceeding five hundred dollars, and to undergo an imprisonment, by separate or solitary confinement at labor, or simple imprisonment, as the court may direct, not exceeding two years.

Voluntary escape by officers in criminal cases.

SECTION 5. If any sheriff, coroner, keeper of any jail, constable or other officer, having any offender, convicted or accused of any crime, in his lawful custody for such crime, shall voluntarily permit or suffer such offender to escape and go at large, every such sheriff, coroner, keeper of jail, constable or other officer so offending, shall be guilty of a misdemeanor, and on conviction, be sentenced to pay a fine not exceeding five hundred dollars, and to undergo an imprisonment, by separate or solitary confinement at labor, or by simple imprisonment, not exceeding five years, and shall moreover by the said sentence be dismissed from office.

Escape by negligence of officers or keepers of prisons.

SECTION 6. If any keeper, jailor, sheriff, or other officer having a prisoner in his custody or charge, under a criminal conviction, sentence or charge, shall suffer such prisoner through gross negligence to escape, he shall be guilty of a misdemeanor, and on conviction, be sentenced to an imprisonment, not exceeding one year, and to pay a fine not exceeding five hundred dollars.

Refusal by an officer to arrest or receive an offender, or voluntarily permitting him to escape when in custody.

SECTION 7. If any sheriff, coroner, or keeper of a jail, constable or other officer, shall wilfully, and without reasonable cause, refuse to execute any lawful process directed to him, requiring the apprehension or confinement of any person charged with, or convicted of, a criminal offence, or shall wilfully, and without reasonable cause, omit to execute such process, by which such person shall escape, he shall be guilty of a misdemeanor, and on conviction, be sentenced to an imprisonment not exceeding two years, and a fine not exceeding five hundred dollars.

Obstructing the execution of legal process, rescuing a prisoner in custody, and refusing to aid an officer.

SECTION 8. If any person shall knowingly, wilfully and forcibly obstruct, resist or oppose any sheriff, coroner or other officer of the commonwealth, or other person duly authorized, in serving or attempting to serve or execute any process or order of any court, judge, justice or arbitrator, or any other legal process whatsoever, or shall assault or beat any sheriff, coroner, constable or other officer or person, duly authorized, in serving or executing any process or order as aforesaid, or for and because of having served or executed the same; or if any person shall rescue another in legal custody; or if any person being required by any sheriff, coroner, constable or other officer of the commonwealth, shall neglect or refuse to assist him in the execution of his office in any criminal case, or in the preservation

of the peace, or in apprehending and securing any person for a breach of the peace, such person shall be guilty of a misdemeanor, and on conviction, be sentenced to an imprisonment not exceeding one year, and to pay a fine not exceeding one hundred dollars, or either, or both, in the discretion of the court.

SECTION 9. If any person shall be proved and adjudged a common barrator, vexing others with unjust and vexatious suits, he shall be guilty of a misdemeanor, and on conviction, be sentenced to pay a fine not exceeding one hundred dollars, or undergo an imprisonment not exceeding one year, or both, or either, at the discretion of the court. Barratry.

SECTION 10. If any person having a knowledge of the actual commission of any misprision of treason, murder, manslaughter, rape, sodomy, buggery, arson, forgery, counterfeiting, or passing counterfeit money or notes, burglary, house breaking, robbery, larceny, receiving stolen goods or other property by persons knowing them to be stolen, kidnapping, bribery, perjury or subornation of perjury, shall take money, goods, chattles, lands or other reward, or promise thereof to compound or conceal, or upon agreement to compound or conceal the crimes aforesaid, every person so offending shall be guilty of a misdemeanor, and on conviction thereof, be sentenced to pay a fine not exceeding one thousand dollars, and to undergo an imprisonment not exceeding three years. Compounding crimes.

SECTION 11. If any person shall unlawfully dissuade, hinder or prevent, or attempt to dissuade, hinder or prevent any witness from attending and testifying, who may have been required to attend and testify either before any committee of the legislature of this state, or before any civil or criminal court, judge, justice or other judicial tribunal thereof, by virtue of any writ of subpoena or other legal process, or who may have been recognized to attend as a witness on behalf of the commonwealth or of any defendant, before any court having jurisdiction, to testify in any case depending or about to be tried in such court, any person so offending shall be guilty of a misdemeanor, and being thereof convicted, shall be sentenced to pay a fine not exceeding five hundred dollars, and undergo an imprisonment not exceeding one year. Dissuading a witness from testifying.

SECTION 12. If any justice, clerk, prothonotary, sheriff, coroner, constable or other officer of this commonwealth, shall wilfully and fraudulently receive or take any reward or fee to execute and do his duty and office, but such as is or shall be allowed by some act of assembly of this commonwealth, or shall receive or take, by color of his office, any fee or reward whatever, not, or more than is allowed as aforesaid, he shall be deemed guilty of a misdemeanor in office, and on conviction, be sentenced to pay a fine not exceeding five hundred dollars, or to undergo an imprisonment not exceeding one year. Extortion in taking illegal fees.

SECTION 13. If any person shall attempt to corrupt or influence any juror in a criminal or civil court, or any arbitrator appointed according to law, by endeavoring, either in conversation or by written communication, or by persuasion, promises or entreaties, or by any other private means to bias the mind or judgment of such juror or arbitrator, as to any cause pending in the court to which such juror has been summoned, or in Embracery.

which such arbitrator has been appointed or chosen, except by the strength of evidence or the arguments of himself or his counsel during the trial or hearing of the case, he shall be guilty of a misdemeanor, and on conviction, be sentenced to pay a fine not exceeding five hundred dollars, or suffer an imprisonment not exceeding one year, or both, or either, at the discretion of the court.

Perjury and subornation thereof

SECTION 14. If any person shall wilfully and corruptly commit wilful and corrupt perjury, or shall by any means procure or suborn any person to commit wilful and corrupt perjury, on his or her oath or affirmation, legally administered either before any committee of the legislature of this commonwealth, or in any judicial proceeding, matter or cause which may be depending in any of the courts thereof, or before any judge, justice, mayor, recorder, alderman or other magistrate, or before any arbitrator, prothonotary, clerk, notary public, commissioner or auditor, appointed by any court of this commonwealth, or in any deposition taken pursuant to the laws of this commonwealth, or the rules, orders and directions of any court, arbitrator or judge thereof, or preparatory and for the purpose of obtaining any rule or order of court, or of a judge or arbitrator, or if any person in taking any other oath or affirmation required, or that may hereafter be required by any act of assembly of this commonwealth, shall be guilty of wilfully and corruptly making a false oath or affirmation; or if any person shall procure or suborn any other person to make any such false oath or affirmation, every person so offending shall be guilty of a misdemeanor, and on conviction, be sentenced to pay a fine not exceeding five hundred dollars, and to undergo an imprisonment, by separate or solitary confinement at labor, not exceeding seven years, and shall be forever disqualified from being a witness in any matter in controversy.

Making false entries and destroying or abstracting public records.

SECTION 15. If any prothonotary, clerk, register, public officer or other person, shall fraudulently make a false entry in, or erase, alter, secrete, carry away or destroy any public record, or any part thereof, of any court or public office of this commonwealth, such person shall be guilty of a misdemeanor, and on conviction shall be sentenced to pay a fine not exceeding one thousand dollars, and to undergo an imprisonment, by separate or solitary confinement at labor, not exceeding two years.

False personation.

SECTION 16. If any person shall fraudulently and corruptly acknowledge, or procure to be acknowledged, any deed, or any writing authorized to be acknowledged, or any recognizance or judgment, in the name of any other person not privy thereto, or consenting to the same, the person so offending shall be guilty of a misdemeanor, and on conviction, be sentenced to pay a fine not exceeding one thousand dollars, and undergo an imprisonment, by separate or solitary confinement at labor, not exceeding seven years.

Misdemeanors of district attorney.

SECTION 17. If any district attorney shall wilfully and corruptly demand, take or receive any other fee or reward, than such as is prescribed by law, for any official duties required by law to be executed by him in any criminal proceeding; or if such district attorney shall be guilty of wilful and gross negligence in the execution of the duties of his office, he shall be

guilty of a misdemeanor in office, and on conviction thereof, be sentenced to pay a fine not exceeding one thousand dollars, and to undergo an imprisonment not exceeding one year, and his said office shall be declared vacant. Upon complaint in writing, verified by the oath or affirmation of the party aggrieved, made to the court in which any district attorney shall prosecute the pleas of the commonwealth, charging such district attorney with wilful and gross negligence in the execution of the duties of his office, the said court shall cause notice of such complaint to be given to the said district attorney, and of the time fixed by the said court for the hearing of the same. If, upon such hearing, the court shall be of opinion that there is probable cause for the said complaint, they shall bind over or commit the said district attorney to answer the same in due course of law. If the court shall be of opinion that there is no probable cause for such complaint, they shall dismiss the same with reasonable costs, to be assessed by the court.

SECTION 18. If any district attorney shall be charged according to law, with any crime or misdemeanor, before, or bound over, or committed by any court, to answer for wilful and gross negligence in the execution of the duties of his office, it shall be the duty of the court to appoint some competent attorney thereof, to prepare an indictment against such district attorney, and to prosecute the same on behalf of the commonwealth, until final judgment, to whom a reasonable compensation, to be fixed by the court, shall be paid for his services, out of the county treasury; if such district attorney shall be convicted of any crime, for which he may be sentenced to imprisonment, by separate or solitary confinement at labor, in addition thereto, his said office shall be declared vacant by the court passing such sentence.

Mode of proceeding against such district attorney.

### TITLE III. *Offences against the Public Peace.*

SECTION 19. If any person shall be concerned in any riot, rout, unlawful assembly, or an affray, and shall be thereof convicted, he shall be guilty of a misdemeanor, and be sentenced to pay a fine not exceeding five hundred dollars, or undergo an imprisonment not exceeding two years, or both, or either, at the discretion of the court; and in case any one is convicted of on aggravated riot, the court may sentence the offender to imprisonment by separate or solitary confinement at labor, not exceeding three years.

Riots, routs, unlawful assemblies, and aggravated riots.

SECTION 20. If any persons riotously and tumultuously assembled together, to the disturbance of the public peace, shall unlawfully and with force, demolish or pull down or destroy, or begin to demolish, pull down, or destroy any public building, private dwelling, church, meeting-house, stable, barn, mill, granary, malt-house or out-house, or any building or erection used in carrying on any trade or manufacture, or any branch thereof, or any machinery, whether fixed or movable, prepared for or employed in any manufacture or any branch thereof, or any steam engine or other engine for sinking, working or draining any mine, or any building or erection used in conducting the business of any mine, or any bridge, wagon-

Riotous destruction of buildings or machinery.



way, road or trunk, for conveying minerals from any mine, every such offender shall be guilty of a misdemeanor, and being convicted thereof, shall be imprisoned by separate or solitary confinement at labor, or by simple imprisonment, not exceeding seven years.

Forceful entry.

SECTION 21. If any person shall with violence and a strong hand, enter upon or into any lands or buildings, either by breaking open doors, windows or other parts of a house, or by any kind of violence or other circumstances of terror, or if any person after entering peaceably, shall turn out by force or by threats, or menacing conduct, the party in possession, every person so offending shall be guilty of a forcible entry, and on conviction, shall be sentenced to pay a fine not exceeding five hundred dollars, or to undergo an imprisonment not exceeding one year, or both, or either, at the discretion of the court, and to make restitution of the lands and tenements entered as aforesaid.

Forceful detain-  
er.

SECTION 22. If any person shall by force and with a strong hand, or by menaces or threats, unlawfully hold and keep the possession of any lands or tenements, whether the possession of the same were obtained peaceably, or otherwise, such person shall be deemed guilty of forcible detainer, and upon conviction thereof, shall be sentenced to pay a fine not exceeding five hundred dollars, or to undergo an imprisonment not exceeding one year, or both, or either, at the discretion of the court, and to make restitution of the lands and tenements unlawfully detained as aforesaid: *Provided*, That no person shall be adjudged guilty of forcible detainer, if such person, by himself, or by those under whom he claims, has been in peaceable possession for three years next immediately preceding such alleged forcible detention.

Threatening let-  
ters

SECTION 23. If any person shall knowingly send or deliver, or utter to any other person, any letter or writing, accusing or threatening to accuse either the person to whom such letter or writing shall be sent or delivered, or any other person of any crime or misdemeanor punishable by law with imprisonment at labor, with a view or intent to extort or gain, by means of such threatening letter or writing, any property, money, security or other valuable thing from any person whatsoever, or shall send, deliver or utter any letter or writing threatening to kill or murder any other person, or to burn or destroy any coal breaker, house, barn or other building, or any rick or stack of grain, hay or straw, or other agricultural produce, every such offender shall be guilty of a misdemeanor, and on conviction, be sentenced to an imprisonment by separate or solitary confinement at labor, or by simple imprisonment, not exceeding three years, and to pay a fine not exceeding one thousand dollars.

Libels

SECTION 24. If any person shall write, print, publish or exhibit any malicious or defamatory libel, tending either to blacken the memory of one who is dead, or the reputation of one who is alive, and thereby exposing him to public hatred, contempt or ridicule, such person shall be guilty of a misdemeanor, and on conviction, be sentenced to pay a fine not exceeding one thousand dollars, or undergo an imprisonment



not exceeding twelve months, or both, or either, at the discretion of the court.

SECTION 25. If any person within this commonwealth shall challenge another by word or writing to fight at sword, rapier, pistol or other deadly weapon, or if any person so challenged shall accept the said challenge, in either case such person so giving or sending or accepting any such challenge, shall be guilty of a misdemeanor, and being convicted thereof, shall be sentenced to pay a fine not exceeding five hundred dollars, and to undergo an imprisonment, by separate or solitary confinement at labor, not exceeding three years.

Sending a challenge to fight.

SECTION 26. If any person shall willingly and knowingly carry and deliver any written challenge, or shall verbally deliver any message purporting to be a challenge, or shall consent to be a second in any such intended duel, every such person so offending shall be guilty of a misdemeanor, and being convicted thereof, shall be sentenced to pay a fine not exceeding five hundred dollars, and to undergo an imprisonment, by separate or solitary confinement at labor, not exceeding two years.

Carrying or delivering a challenge.

SECTION 27. If any person shall have knowledge of any challenge to fight with any deadly weapon, given or received, or in any manner be witness to the fact of such challenge, duel or fighting, not being a second thereat or a party thereto, and shall conceal the same and do not inform thereof, he or she shall be guilty of a misdemeanor, and being convicted thereof, shall be sentenced to pay a fine not exceeding fifty dollars, and to undergo an imprisonment not exceeding twelve calendar months.

Concealing the knowledge of a challenge.

SECTION 28. If any person shall, in any newspaper or handbill, written or printed, or otherwise, post, publish or proclaim any other person or persons as a coward or cowards, or use any other opprobrious and abusive language towards such person for not accepting a challenge, or fighting a duel, such person or persons so offending, shall, on conviction, be sentenced to pay a fine not exceeding five hundred dollars, and to undergo an imprisonment, by separate or solitary confinement at labor, not exceeding one year.

Posting another for not accepting a challenge.

SECTION 29. If any person shall be maimed, or otherwise injured in person, or injured in property, through or by reason of the wanton and furious driving, or racing, or by reason of the gross negligence or wilful misconduct of the driver of any public stage, mail coach, coachee, carriage or car, employed in the conveyance of passengers, or through or by reason of the gross negligence or wilful misconduct of any engineer or conductor of any locomotive engine or train of railroad cars or carriages, or any captain or other officer of any steamboat employed in the conveyance of passengers, or of goods, wares, merchandize or produce of any description, such driver, engineer, conductor, captain or officer, shall, on conviction thereof, be sentenced to pay a fine not exceeding five hundred dollars, and undergo an imprisonment, by separate or solitary confinement, or by simple imprisonment, not exceeding five years: *Provided*, That the provisions of this act shall not interfere with the civil remedies against the proprietors, and others, to which the injured party may by law be now entitled.

Furious driving and racing.

TITLE IV. *Offences against Public Morals and Decency.*

Blasphemy.

SECTION 30. If any person shall wilfully, premeditatedly and despitefully blaspheme, or speak loosely and profanely of Almighty God, Christ Jesus, the Holy Spirit, or the Scriptures of Truth, such person, on conviction thereof, shall be sentenced to pay a fine not exceeding one hundred dollars, and undergo an imprisonment not exceeding three months, or either, at the discretion of the court.

Disturbing public worship or other public assembly.

SECTION 31. If any person shall wilfully and maliciously disturb or interrupt any meeting, society, assembly or congregation, convened for the purpose of religious worship, or for any moral, social, literary, scientific, agricultural, horticultural or floral object, ceremony, examination, exhibition or lecture, such person shall, on conviction, be sentenced to pay a fine not exceeding fifty dollars, and suffer an imprisonment not exceeding three months, or both, or either, at the discretion of the court.

Sodomy.

SECTION 32. If any person shall commit sodomy or buggery, he shall be guilty of felony, and on conviction, be sentenced to pay a fine not exceeding one thousand dollars, and to undergo an imprisonment, by separate or solitary confinement at labor, not exceeding ten years.

Attempt and solicitation to commit sodomy.

SECTION 33. If any person shall unlawfully and maliciously assault another, with the intent to commit sodomy or buggery, or if any person shall wickedly and unlawfully solicit and incite, and endeavor to persuade another, to permit and suffer such person to commit sodomy or buggery with him, such person shall be guilty of a misdemeanor, and being convicted of an assault with the intent aforesaid, or of so inciting another to suffer the act of sodomy or buggery to be committed with him, shall be sentenced to pay a fine not exceeding three hundred dollars, and undergo an imprisonment, by separate or solitary confinement at labor, not exceeding three years.

Bigamy

SECTION 34. If any person shall have two wives or two husbands at one and the same time, he or she shall be guilty of a misdemeanor, and on conviction, be sentenced to pay a fine not exceeding one thousand dollars, and to undergo an imprisonment, by separate and solitary confinement at labor, not exceeding two years, and the second marriage shall be void: *Provided*, That if any husband or wife, upon any false rumor, in appearance well founded, of the death of the other, (when such other has been absent for two whole years,) hath married, or shall marry again, he or she shall not be liable to the penalties of fine and imprisonment imposed by this act.

Knowingly marrying the wife or husband of another

SECTION 35. If any man or woman being unmarried, shall knowingly marry the husband or wife of another person, such man or woman shall, on conviction, be sentenced to pay a fine not exceeding five hundred dollars, and undergo an imprisonment, by separate or solitary confinement at labor, not exceeding two years.

Adultery.

SECTION 36. If any married man shall have carnal connection with any woman not his lawful wife, or any married woman have carnal connection with any man not her lawful husband, he or she so offending shall be deemed guilty of adultery, and on conviction, be sentenced to pay a fine not exceeding five hun-

dred dollars, and undergo an imprisonment not exceeding one year, or both, or either, at the discretion of the court.

SECTION 37. If any person shall commit fornication, and be thereof convicted, he or she shall be sentenced to pay a fine not exceeding one hundred dollars, to the guardians, directors or overseers of the poor of the city, county or township where the offence was committed, for the use of the poor of such city, county or township; and any single or unmarried woman having a child born of her body, the same shall be sufficient to convict such single or unmarried woman of fornication; and the man by such woman charged to be the father of such bastard child, shall be the reputed father, and she persisting in the said charge, in the time of her extremity of labor or afterwards, in open court, upon the trial of such person so charged, the same shall be given in evidence, in order to convict such person of fornication; and such person being thereof convicted, shall be sentenced, in addition to the fine aforesaid, to pay the expenses incurred at the birth of such child, and to give security, by one or more sureties, and in such sum as the court shall direct, to the guardians, directors or overseers of the poor of the city, county or township where such child was born, to perform such order for the maintenance of the said child, as the court before which such conviction is had shall direct and appoint.

Fornication and  
bastardy.

SECTION 38. If a bastard child is begotten out of the state, and born within the state, or begotten within one of the counties of this state, and born in another, in the latter case, the prosecution of the reputed father shall be in the county where the bastard child shall be born, and the like sentence shall be passed as if the bastard child had been or shall have been begotten within the same county, and in the former case, viz: of a bastard begotten without the state and born within it, the like sentence shall be passed, except in the imposition of a fine, which part of the sentence shall be omitted.

Place of trial for  
the offence.

SECTION 39. If any person shall commit incestuous fornication or adultery, or intermarry within the degrees of consanguinity or affinity, according to the following table, (established by law,) he or she shall, on conviction, be sentenced to pay a fine not exceeding five hundred dollars, and to undergo an imprisonment, by separate or solitary confinement at labor, not exceeding three years; and all such marriages are hereby declared void.

Incestuous forni-  
cation.

The table of degrees of consanguinity and affinity is as follows:

#### DEGREES OF CONSANGUINITY.

A man may not marry his mother.

Do.....do.....father's sister.

Do.....do.....mother's sister.

Do.....do.....sister.

Do.....do.....daughter.

Do.....do...the daughter of his son or daughter

A woman may not marry her father.

Do.....do.....father's brother.

Do.....do.....mother's brother.

Do.....do.....brother.

A woman may not marry her son.

Do.....do.....the son of her son or daughter.

DEGREES OF AFFINITY.

A man may not marry his father's wife.

Do.....do.....son's wife.

Do.....do.....son's daughter.

Do.....do.....wife's daughter.

Do.....do....the daughter of his wife's son or daughter.

A woman may not marry her mother's husband.

Do.....do.....daughter's husband.

Do.....do.....husband's son.

Do.....do.....the son of her husband's son or daughter.

Obscene libels.

SECTION 40. If any person shall publish or sell any filthy and obscene libel, or shall expose to sale, or exhibit or sell any indecent, lewd and obscene print, painting or statue; or if any person shall keep and maintain any house, room or gallery, for the purpose of exposing or exhibiting any lewd, indecent and obscene prints, pictures, paintings or statues, and shall be convicted thereof, such person shall be sentenced to pay a fine not exceeding five hundred dollars, and undergo an imprisonment not exceeding one year.

Seduction.

SECTION 41. The seduction of any female of good repute, under twenty-one years of age, with illicit connexion under promise of marriage, is hereby declared to be a misdemeanor; and any person who shall be convicted thereof, shall be sentenced to pay a fine not exceeding five thousand dollars, and to undergo an imprisonment, either at labor by separate or solitary confinement, or imprisonment without labor, not exceeding three years, or both, or either, at the discretion of the court: *Provided*, That the promise of marriage shall not be deemed established, unless the testimony of the female seduced is corroborated by other evidence, either circumstantial or positive.

Keeping a disorderly house.

SECTION 42. If any person shall keep and maintain a common, ill-governed and disorderly house or place, to the encouragement of idleness, gaming, drinking or other misbehaviour, to the common nuisance and disturbance of the neighborhood or orderly citizens, he or she shall be guilty of a misdemeanor, and on conviction, be sentenced to pay a fine not exceeding five hundred dollars, or to undergo an imprisonment not exceeding one year, or both, or either, at the discretion of the court.

Keeping a bawdy house or leasing a house for the same.

SECTION 43. If any person shall keep and maintain a common bawdy house, or place for the practice of fornication, or shall, knowingly, let or demise a house, or part thereof, to be so kept, he or she shall be guilty of a misdemeanor, and on conviction, be sentenced to pay a fine not exceeding one thousand dollars, and to undergo an imprisonment not exceeding two years.

Open lewdness.

SECTION 44. If any person shall commit open lewdness, or any notorious act of public indecency, tending to debauch the morals or manners of the people, such person shall be guilty of

a misdemeanor, and on conviction, be sentenced to pay a fine not exceeding one hundred dollars, or undergo an imprisonment not exceeding one year, or both, or either, at the discretion of the court.

SECTION 45. If the father or mother of any child, under the age of seven years, or any person to whom such child shall have been confided, shall expose such child in any highway, street, field, house, outhouse or other place, with intent to wholly abandon it, such person shall be guilty of a misdemeanor, and upon conviction thereof, be sentenced to an imprisonment not exceeding twelve months, and to pay a fine not exceeding one hundred dollars. Abandoning infants.

SECTION 46. If any person shall wantonly and cruelly beat, torture, kill or maim any horse or other domestic animal, whether belonging to himself or another, every such person so offending shall be guilty of a misdemeanor, and on conviction, be sentenced to pay a fine not exceeding two hundred dollars, or undergo an imprisonment not exceeding one year, or both, or either, at the discretion of the court. Cruelty to animals.

SECTION 47. Any person who shall wilfully and maliciously destroy, mutilate, deface, injure or remove any tomb, monument, grave stone or other edifice, placed in any cemetery or grave yard, appropriated to and used for the interment of human beings in this commonwealth, or shall wilfully and maliciously injure, destroy or remove any fence, railing or other work for the protection or ornament of such places of interment, or shall wilfully open any tomb, vault or grave, within the same, and clandestinely remove any body or remains therefrom, or maliciously destroy any tree or shrubbery growing in such cemetery or grave yard, shall be guilty of a misdemeanor, and on conviction of either of the said offences, be sentenced to undergo an imprisonment not exceeding one year, or to pay a fine not exceeding one hundred dollars, or both, or either, at the discretion of the court. Violation of sepulchre.

#### TITLE V. *Offences against Public Policy, Economy and Health.*

SECTION 48. If any person shall directly or indirectly, or by means of, and through any artful and dishonest device whatever, give or offer to give any money, goods or other present or reward, or give or make any promise, contract or agreement, for the payment, delivery, or alienation of any money, goods or other bribe, in order to obtain or influence the vote, opinion, verdict, award, judgment, decree, or behaviour of any member of the general assembly, or any officer of this commonwealth, judge, juror, justice, referee or arbitrator, in any bill, action, suit, complaint, indictment, controversy, matter or thing whatsoever, depending or which shall depend before him or them, such person shall be guilty of a misdemeanor, and on conviction, be sentenced to pay a fine not exceeding five hundred dollars, and to undergo an imprisonment by separate or solitary confinement at labor, not exceeding one year; and the member of assembly, or officer, judge, juror, justice, referee, or arbitrator, who shall accept or receive, or agree to accept or receive such bribe, shall be guilty of a misdemeanor, and on conviction, be sentenced to Bribery.



pay a fine not exceeding one thousand dollars, and to undergo an imprisonment, by separate or solitary confinement at labor, not exceeding five years.

Witness testify-  
ing to be exempt  
from prosecution

SECTION 49. No witness shall be excused from testifying in any criminal proceeding, or in any investigation or inquiry before either branch of the general assembly, or any committee thereof, touching his knowledge of the aforesaid crimes, under any pretence or allegation whatsoever; but the evidence so given, or the facts divulged by him, shall not be used against him in any prosecution under this act: *Provided*, That the accused shall not be convicted on the testimony of an accomplice, unless the same be corroborated by other evidence, or the circumstances of the case.

Taking bribes by  
electors.

SECTION 50. If any elector, authorized to vote at any public election, shall directly or indirectly accept or receive, from any person, any gift or reward in money, goods, or other valuable thing, under an agreement or promise, express or implied, that such elector shall give his vote for any particular candidate or candidates at such election, or shall accept or receive the promise of any person that he shall thereafter receive any gift or reward in money, goods, or other valuable thing, any office, appointment or employment, public or private, or any personal or pecuniary advantage whatsoever, under such an agreement or promise, express or implied, such elector shall be guilty of a misdemeanor, and shall, on conviction of either of the said offences, be sentenced to pay a fine not exceeding one hundred dollars, and undergo an imprisonment not exceeding six months.

Corruptly influ-  
encing and in-  
timidating elec-  
tors.

SECTION 51. Any person who shall directly or indirectly give, or offer to give, any such gift or reward to any such elector, with the intent to induce him to vote for any particular candidate or candidates at such election, or shall directly or indirectly procure or agree to give any such gift or reward to such elector, with the intent aforesaid, or shall, with the intent to influence or intimidate such elector to give his vote for any particular candidate or candidates at such election, give, offer, or promise to give to such elector, any office, place, appointment or employment, or threaten such elector with dismissal or discharge from any office, place, appointment or employment, public or private, then held by him, in case of his refusal to vote for any particular candidate or candidates at such election, the person so offending shall be guilty of a misdemeanor, and on conviction, be sentenced to pay a fine not exceeding five hundred dollars, and undergo an imprisonment not exceeding two years.

Illegal lotteries  
nuisances.

SECTION 52. All lotteries, whether public or private, for moneys, goods, wares or merchandize, chattels, lands, tenements, hereditaments, or other matters or things whatsoever, are hereby declared to be common nuisances; and every grant, bargain, sale, conveyance or transfer of any goods or chattels, lands, tenements or hereditaments which shall be made in pursuance of any such lottery, is hereby declared to be invalid and void.

Erecting and set-  
ting up an illegal  
lottery.

SECTION 53. If any person shall, within this state, either publicly or privately, erect, set up, open, make or draw any such lottery as aforesaid, or be in any way concerned in the managing, conducting or carrying on the same, he shall be guilty of a misdemeanor, and on conviction, be sentenced to pay a fine



not exceeding one thousand dollars, and undergo an imprisonment, by separate or solitary confinement at labor, not exceeding one year.

SECTION 54. If any person shall sell or expose to sale, or cause to be sold or exposed to sale, or shall barter or exchange, or cause or offer to be bartered or exchanged, or shall advertise, or cause to be advertised for sale, barter or exchange, any lottery ticket or share, or part thereof, or any lottery policy, or any writing, certificate, bill, token or other device, purporting or intending to entitle, or represented as entitling the holder or bearer, or any other person, to any prize to be drawn in any lottery, or any part of such prize, or any interest therein, such person shall be guilty of a misdemeanor, and, on conviction, be sentenced to an imprisonment, by separate or solitary confinement at labor, not exceeding two years, and to pay a fine not exceeding one thousand dollars. The purchaser of such ticket, policy or device, shall not be liable to any prosecution or penalty by virtue of this or any other law of the commonwealth, and shall, in all respects, be a competent witness to prove the offence. Any indictment under this act shall be deemed and adjudged good and sufficient, which describes the offence in the words of this law, although it does not set out the name or location of such lottery, nor set out in words and figures, the ticket, policy or device sold, bartered or exchanged, or offered or advertised to be sold, bartered or exchanged.

Selling tickets or policies in an unlawful lottery.

SECTION 55. If any person shall set up or establish, or cause to be set up or established, in any house, room, out-house, tent, booth, arbor or other place whatsoever, any game or device of address, or hazard, with cards, dice, billiard balls, shuffle boards, or any other instrument, article or thing whatsoever, heretofore or which hereafter may be invented, used and employed, at which money or other valuable thing may or shall be played for, or staked or betted upon; or if any person shall procure, permit, suffer and allow persons to collect and assemble in his house, room, out-house, booth, tent, arbor or other place whatsoever, under his control, for the purpose of playing at, and staking or betting upon such game or device of address, or hazard, money or other valuable thing; or if any person being the owner, tenant, lessee or occupant of any house, room, out-house, tent, booth, arbor or other place whatsoever, shall lease, hire or rent the same, or any part thereof, to be used and occupied, or employed, for the purpose of playing at, or staking and betting upon such game or device of address, or hazard, for money or other valuable thing, the person so offending in either of the enumerated cases, shall be guilty of a misdemeanor, and on conviction, be sentenced to pay a fine not exceeding five hundred dollars, and undergo an imprisonment not exceeding one year. The owner of such house, room, out-house, tent, booth, arbor or other place whatsoever, who shall have knowledge that any such game or device of address, or hazard, as aforesaid, has been set up in or upon the said premises, and shall not forthwith cause complaint to be made against the person who has set up or established the same, shall be deemed and held to have knowingly leased, hired or rented the said premises for the said unlawful purposes: *Provided*, That this act shall not be construed to apply to games of

Gambling.

Provide.

recreation and exercise, such as billiards, bagatelle, ten pins, et cetra, where no betting is allowed.

Common gam-  
blers

SECTION 56. If any person shall keep or exhibit any gaming table, establishment, device or apparatus, to win or gain money or other property of value, or aid, assist, or permit others to do the same; or if any person shall engage in gambling for a livelihood, or shall be without any fixed residence, and in the habit or practice of gambling, he shall be deemed and taken to be a common gambler, and upon conviction thereof, shall be sentenced to an imprisonment, by separate or solitary confinement at labor, not exceeding five years, and to pay a fine not exceeding five hundred dollars.

Enticing others  
to visit gambling  
houses

SECTION 57. If any person shall through solicitation, invitation or device, persuade or prevail on any other person to visit any room, building, arbor, booth, shed or tenement, or other place kept for the use of gambling, such person shall be guilty of a misdemeanor, and upon conviction thereof, be sentenced to pay a fine not exceeding five hundred dollars, and besides, shall be civilly responsible and liable to pay back to any person induced by him to enter such gambling house, any sum he may have lost at play therein.

No witness ex-  
empt from testi-  
fying

SECTION 58. No witness shall be excused, under any allegation or pretence whatsoever, in any prosecution or proceeding for unlawful gambling, from giving his testimony touching the same; but no evidence given, or facts divulged by him, shall be used or employed against him in any criminal prosecution whatever.

Seizure of imple-  
ments to prove  
the charge.

SECTION 59. If an affidavit be made and filed before any magistrate, before whom complaint has been made of the commission of either of the crimes provided against in the three preceding sections, setting forth that the affiant has reason to believe, and does believe, that the person charged in such complaint has upon his person, or at any other place named in said affidavit, any gaming table, device or apparatus, the discovery of which might lead to establish the truth of such charge, the said magistrate shall, by his warrant, command the officer who is authorized to arrest the person so charged, to make diligent search for such table, device or apparatus, and if found, to bring the same before such magistrate; and the officer so seizing, shall deliver the same to the magistrate before whom he takes the prisoner, who shall retain possession, and be responsible therefor until the discharge, commitment or letting to bail of the person so charged; after which such officer shall retain such table, device or apparatus, subject to the order of the court before which such offender may be required to appear, until his discharge or conviction; and in case of the conviction of such person, the gaming table, device or apparatus shall, by the direction of the court, be destroyed.

General authori-  
ty to seize gam-  
bling instruments.

SECTION 60. It shall and may be lawful for any sheriff, constable or other officer of justice, with or without warrant, to seize upon, secure and remove any device or machine of any kind, character or description whatsoever, used and employed for the purposes of unlawful gaming as aforesaid, and to arrest, with or without warrant, any person setting up the same. And it shall be the duty of such sheriff, constable or other officer, to make return, in writing, to the next court of quarter sessions

of the proper county, setting forth the nature and description of the device or machine so seized upon, and the time, place and circumstances under which such seizure was made; and the said court, upon hearing the parties, if they should appear, if satisfied that such device or machine was employed and used for the purpose of unlawful gaming as aforesaid, shall adjudge the same forfeited, and order it to be publicly destroyed, and at the same time order such reasonable costs and charges to the seizing officer as they shall deem adequate and just, to be paid by the owner or possessor of such device or machine, or in case of his default, or in case he cannot be found, to be paid as costs are now by law paid upon indictments; and such adjudication shall be conclusive evidence to establish the legality of such seizure, in any court of this commonwealth, in any cause in which the question of its legality shall arise; and in any case in which a decree of forfeiture shall not be pronounced, if said court shall, upon the evidence, be satisfied that there was probable cause for the seizure, they shall certify the same, which certificate shall be a bar to any action brought against the officer for or on account of such seizure, in those cases in which the said officer returns, or offers to return such device or machine; and in all cases shall prevent a recovery in damages, for any sum beyond the real value of the device or machine seized.

SECTION 61. No writ of replevin shall issue for any device or machine, seized as aforesaid, nor shall any action be instituted for or on account of such seizure, until the court shall have first adjudicated upon the premises; but such writ or action shall forthwith, on motion, be quashed and abated by the court in which it shall be sued or brought.

No writ of replevin to issue therefor.

SECTION 62. If any officer of this commonwealth, or of any city, borough, county or township thereof, shall loan out, with or without interest, or return therefor, any money or valuable security received by him, or which may be in his possession, or under his control by virtue of his office, he shall be guilty of a misdemeanor in office, and on conviction be sentenced to pay a fine not exceeding one thousand dollars, and undergo an imprisonment, by separate or solitary confinement at labor, not exceeding five years, and if still in office, be adjudged thereafter incapable of exercising the same, and the said office shall be forthwith declared vacant by the court passing the sentence.

Loaning public money by officers

SECTION 63. If any such officer shall enter into any contract or agreement with any bank, corporation or individual, or association of individuals, by which said officer is to derive any benefit, gain or advantage from the deposit with such bank, corporation or individual, or association, of any money or valuable security held by him, or which may be in his possession, or under his control by virtue of his said office, he shall be guilty of a misdemeanor, and on conviction, be sentenced to pay a fine not exceeding one thousand dollars, and to undergo an imprisonment not exceeding one year, and if still in office, be adjudged thereafter incapable of exercising the same, and the said office shall be forthwith declared vacant by the court passing sentence.

Depositing public money for gain by officers.

SECTION 64. If any cashier of any bank of this commonwealth shall engage directly or indirectly in the purchase or sale of

Cashier of banks to follow no other business or occupation. stock, or in any other profession, occupation or calling, other than that of his duty as cashier, he shall be guilty of a misdemeanor, and being thereof convicted, shall be sentenced to pay a fine not exceeding five hundred dollars.

Embezzlement by public officers.

SECTION 65. If any state, county, township or municipal officer of this commonwealth, charged with the collection, safe keeping, transfer, or disbursement of public money, shall convert to his own use, in any way whatsoever, or shall use by way of investment in any kind of property or merchandize, any portion of the public money entrusted to him for collection, safe keeping, transfer or disbursement, or shall prove a defaulter, or fail to pay over the same when thereunto legally required by the state, county or township treasurer, or other proper officer or person authorized to demand and receive the same, every such act shall be deemed and adjudged to be an embezzlement of so much of said money as shall be thus taken, converted, invested, used or unaccounted for, which is hereby declared a misdemeanor; and every such officer, and every person or persons whomsoever aiding or abetting, or being in any way accessory to said act, and being thereof convicted, shall be sentenced to an imprisonment, by separate or solitary confinement at labor, not exceeding five years, and to pay a fine equal to the amount of the money embezzled.

Malversation by corporation officers

SECTION 66. It shall not be lawful for any councilman, burgess, trustee, manager or director of any corporation, municipality or public institution, to be at the same time a treasurer, secretary or other officer, subordinate to the president and directors, who shall receive a salary therefrom, or be the surety of such officer, nor shall any member of any corporation or public institution, or any officer or agent thereof, be in anywise interested in any contract for the sale or furnishing of any supplies, or materials to be furnished to, or for the use of any corporation, municipality or public institution of which he shall be a member or officer, or for which he shall be an agent, nor directly nor indirectly interested therein, nor receive any reward or gratuity from any person interested in such contract or sale; and any person violating these provisions, or either of them, shall forfeit his membership in such corporation, municipality or institution, and his office or appointment thereunder, and shall be held guilty of a misdemeanor, and on conviction thereof be sentenced to pay a fine not exceeding five hundred dollars: *Provided*, That nothing in this section contained, shall prevent a vice president of any bank from being a director of such bank, or of receiving a salary as vice president.

Proviso.

Solicitation to commit said offence.

SECTION 67. Any person who shall contract for the sale, or sell any supplies or materials as aforesaid, and shall cause to be interested in any such contract or sale, any member, officer or agent of any corporation, municipality or institution, or give or offer to give any such person any reward or gratuity, to influence him or them in the discharge of their official duties, shall not be capable of recovering any thing upon any contract or sale, in relation to which he may have so practised or attempted to practice corruptly, but the same shall be void, and such party shall be guilty of a misdemeanor, and on conviction

thereof, be sentenced to pay a fine not exceeding five hundred dollars.

SECTION 68. If any officer of any municipal or other corporation, not authorized by law, shall be instrumental in, or shall consent to or connive at the making or issuing of any note, bill, check, ticket or order, intended to be used as currency, he shall be guilty of a misdemeanor, and on conviction thereof, be sentenced to pay a fine not exceeding one thousand dollars for each offence, and to undergo an imprisonment not exceeding six months.

Issuing certificates as currency by corporation officers.

SECTION 69. If any person shall sell or expose for sale, the flesh of any diseased animal, or any other unwholesome flesh, knowing the same to be diseased or unwholesome, or sell or expose for sale unwholesome bread, drink or liquor, knowing the same to be unwholesome, or shall adulterate for the purpose of sale, or sell any flour, meal or other article of food, any wine, beer, spirits of any kind, or other liquor intended for drinking, knowing the same to be adulterated, or shall adulterate for sale, or shall sell, knowing them to be so adulterated, any drugs or medicines, such person so offending shall be guilty of a misdemeanor, and upon conviction be sentenced to pay a fine not exceeding one hundred dollars, or undergo an imprisonment not exceeding six months, or both, or either, at the discretion of the court.

Selling unwholesome provisions or adulterated liquors or medicines.

SECTION 70. No apothecary, druggist or other person, shall sell or dispose of by retail, any morphia, strychnia, arsenic prussic acid, or corrosive sublimate, except upon the prescription of a physician, or on the personal application of some respectable inhabitant of full age, of the town or place in which such sale shall be made; in all cases of such sale, the word poison shall be carefully and legibly marked or placed upon the label, package, bottle, or other vessel or thing in which such poison is contained; and when sold or disposed of, otherwise than under the prescription of a physician, the apothecary, druggist, or other person selling or disposing of the same, shall note in a register, kept for that purpose, the name and residence of the person to whom such sale was made, the quantity sold, and the date of such sale; any person offending herein, shall be guilty of a misdemeanor, and on conviction, be sentenced to pay a fine not exceeding fifty dollars.

Selling poisons.

SECTION 71. If any master or commander of any ship, boat or other vessel, arriving from any foreign country, place or port, at any port, harbor or place within this commonwealth, shall knowingly bring with him any person, either as a passenger, working hand or otherwise, who shall have been convicted of any offence in any foreign country or place, which, if committed within this commonwealth, would have subjected the offender to imprisonment at labor, with intent to land such person or permit him to land, such master or commander shall be guilty of a misdemeanor, and on conviction thereof, be sentenced to pay a fine not exceeding three hundred dollars, and undergo an imprisonment not exceeding one year.

Importing criminals.

SECTION 72. If any superintendent, operator or other person, who may be engaged in any telegraph line, shall use, or cause to be used, or make known, or cause to be made known, the con-

Revealing telegraph dispatches



tents of any dispatch, or any part thereof, sent from or received at any telegraph office in this commonwealth, or in anywise unlawfully expose another's business or secret, or in anywise impair the value of any correspondence so sent or received, such person shall be guilty of a misdemeanor, and on conviction, be sentenced to pay a fine not exceeding five hundred dollars, and to undergo an imprisonment not exceeding six months, or both, or either, at the discretion of the court.

**Public nuisances** SECTION 73. Any person who shall erect, set up, establish, maintain, keep up or continue, or cause to be erected, set up, established, maintained, kept up or continued, any public or common nuisance, shall be guilty of a misdemeanor, and on conviction, shall be sentenced to pay a fine, and suffer an imprisonment, or either, or both, according to the discretion of the court under the circumstances of the case; and where the said nuisance shall be in existence at the time of the conviction and sentence, it shall be lawful for the court, in its discretion, to direct either the defendant or the sheriff of the proper county, at the expense of the defendant, to abate the same: *Provided also*, That all obstructions to private roads, laid out according to law, shall be nuisances, which would be nuisances in cases of obstructions to public roads or highways.

#### TITLE VI. *Offences against the Persons of Individuals.*

**Murder.** SECTION 74. All murder which shall be perpetrated by means of poison, or by lying in wait, or by any other kind of wilful, deliberate and premeditated killing, or which shall be committed in the perpetration of, or attempt to perpetrate any arson, rape, robbery or burglary, shall be deemed murder of the first degree, and all other kinds of murder shall be deemed murder of the second degree; and the jury before whom any person indicted for murder shall be tried, shall, if they find such person guilty thereof, ascertain in their verdict whether it be murder of the first or second degree; but if such person shall be convicted by confession, the court shall proceed, by examination of witnesses, to determine the degree of the crime, and to give sentence accordingly.

**Punishment for of the first degree** SECTION 75. That every person convicted of the crime of murder of the first degree, his aiders, abettors and counsellors, shall be sentenced to suffer death by hanging by the neck; and it shall be the duty of the clerk of the court wherein such conviction takes place, and he is hereby required, within ten days after such sentence, to transmit a full and complete record of the trial and conviction to the governor of this commonwealth.

**Of the second degree.** SECTION 76. Every person duly convicted of the crime of murder of the second degree, shall, for the first offence, be sentenced to undergo an imprisonment, by separate or solitary confinement, not exceeding twelve years, and for the second offence, for the period of his natural life.

**Petit treason abolished** SECTION 77. Every person liable at any former period to be prosecuted for petit treason, shall in future be indicted, proceeded against, and punished as is directed in other kinds of murder.

**Voluntary manslaughter** SECTION 78. Every person convicted of any voluntary manslaughter, shall be sentenced to pay a fine not exceeding one



thousand dollars, and to undergo an imprisonment, by separate or solitary confinement at labor, or simple imprisonment, not exceeding twelve years, and in the discretion of the court, to give security for good behaviour during life, or for any less time, according to the nature and enormity of the offence.

SECTION 79. If any person shall be charged with involuntary manslaughter, happening in consequence of an unlawful act, it shall and may be lawful for the district attorney, with the leave of the court, to waive the felony and to proceed against and charge such person with a misdemeanor, and to give in evidence any act or acts of manslaughter; and such person, on conviction, shall be sentenced to pay a fine not exceeding one thousand dollars, and to suffer an imprisonment not exceeding two years, or the district attorney may charge both wilful and involuntary manslaughter in the same indictment, in which case the jury may acquit the party of one, and find him or her guilty of the other charge. Involuntary manslaughter.

SECTION 80. If any person on purpose, and of malice aforethought, by lying in wait, shall unlawfully cut out or disable the tongue, put out an eye, slit the nose, cut off the nose, ear or lip, or cut off or disable any limb or member of another, or brand another with intention in so doing to maim or disfigure such person, or shall voluntarily, maliciously and of purpose, pull or put out an eye, or bite off the nose, ear, lip, limb or member, or any part of the nose, ear, lip, limb or member of his opponent while fighting, or otherwise, every such offender shall be guilty of a misdemeanor, and on conviction, be sentenced to pay a fine not exceeding one thousand dollars, three-fourths parts whereof shall be for the use of the party grieved, and undergo an imprisonment, by separate or solitary confinement at labor, not exceeding five years: *Provided also*, That the party grieved shall, in such prosecution, be received as a competent witness, his credibility to be judged of by the jury as in other cases. Malicious may-hem. Proviso.

SECTION 81. If any person shall administer, or cause to be administered or taken by another, any poison or other destructive thing, or shall stab, cut or wound any person, or shall, by any means whatsoever, cause any person bodily injury, dangerous to life, with intention, in any of the cases aforesaid, to commit murder, such person shall be guilty of felony, and shall, on conviction, be sentenced to pay a fine not exceeding one thousand dollars, and to undergo an imprisonment, by separate or solitary confinement at labor, not exceeding seven years. Administering poison, stabbing or wounding.

SECTION 82. If any person shall attempt to administer any poison, or other destructive thing, or shall attempt to cut or stab or wound, or shall shoot at any person, or shall, by drawing a trigger, or in any other manner, attempt to discharge any kind of loaded arms at any person, or shall attempt to drown, suffocate or strangle any person, with intent, in any of the cases aforesaid, to commit the crime of murder, he shall, although no bodily injury be effected, be guilty of felony, and be sentenced to pay a fine of one thousand dollars, and undergo an imprisonment, by separate or solitary confinement, not exceeding seven years. Attempting to administer poison, shoot or cut, &c.

SECTION 83. If any person, unlawfully and maliciously, shall shoot at any person, or shall, by drawing a trigger, or by any Cutting and maiming with intent to disfigure

other manner, attempt to discharge any kind of loaded arms at any person, or shall stab, cut or wound any person, with intent, in any of the cases aforesaid, to maim, disfigure or disable such person, the person so offending shall be guilty of felony, and on conviction, be sentenced to pay a fine not exceeding five hundred dollars, and undergo an imprisonment, by separate or solitary confinement at labor, not exceeding three years.

Injuring by explosive substances.

SECTION 84. If any person shall unlawfully, wilfully and maliciously, by the explosion of gunpowder, or other explosive substance, burn, maim, disfigure, disable, or do grievous bodily harm to any person, he shall be guilty of felony, and on conviction, be sentenced to pay a fine not exceeding five hundred dollars, and to undergo an imprisonment, by separate or solitary confinement, not exceeding three years.

Causing to explode or sending explosive substances.

SECTION 85. If any person shall unlawfully and maliciously cause any gunpowder, or other explosive substance, to explode, or send or deliver to, or cause to be taken and received by, any person any explosive substance, or any other dangerous or noxious thing, or cast or throw at or upon, or otherwise apply to any person, any corrosive fluid, or other destructive or explosive substance, with intent, in any of the cases aforesaid, to burn, maim, disfigure or disable any person, or to do some grievous bodily harm to such person, he shall be guilty of felony, and on conviction, be sentenced to pay a fine not exceeding five hundred dollars, and undergo an imprisonment, by separate or solitary confinement at labor, not exceeding three years.

Administering stupefying mixtures with criminal intent.

SECTION 86. If any person shall unlawfully apply or administer to another, any chloroform, laudanum, or other stupefying and overpowering drug, matter or thing, with intent thereby to enable such offender, or any other person, to commit, or with the intent to assist such offender, or other person, in committing any felony, every such offender shall be guilty of a felony, and being convicted thereof, shall be sentenced to pay a fine not exceeding five hundred dollars, and undergo an imprisonment, by separate and solitary confinement at labor, not exceeding five years.

Death following attempt to procure abortion.

SECTION 87. If any person shall unlawfully administer to any woman, pregnant or quick with child, or supposed and believed to be pregnant or quick with child, any drug, poison or other substance whatsoever, or shall unlawfully use any instrument or other means whatsoever, with the intent to procure the miscarriage of such woman, and such woman, or any child with which she may be quick, shall die in consequence of either of said unlawful acts, the person so offending shall be guilty of felony, and shall be sentenced to pay a fine not exceeding five hundred dollars, and to undergo an imprisonment, by separate or solitary confinement at labor, not exceeding seven years.

Procuring or attempting to procure abortion.

SECTION 88. If any person, with intent to procure the miscarriage of any woman, shall unlawfully administer to her any poison, drug or substance whatsoever, or shall unlawfully use any instrument, or other means whatsoever, with the like intent, such person shall be guilty of felony, and being thereof convicted, shall be sentenced to pay a fine not exceeding five

hundred dollars, and undergo an imprisonment, by separate or solitary confinement at labor, not exceeding three years.

SECTION 89. If any woman shall endeavor privately, either by herself or the procurement of others, to conceal the death of any issue of her body, male or female, which, if it were born alive, would by law be a bastard, so that it may not come to light, whether it was born dead or alive, or whether it was murdered or not, every such mother, being convicted thereof, shall suffer an imprisonment, by separate or solitary confinement at labor, not exceeding three years; and if the grand jury shall, in the same indictment, charge any woman with the murder of her bastard child, as well as with the offence aforesaid, the jury by whom such woman shall be tried, may either acquit or convict her of both offences, or find her guilty of one and acquit her of the other, as the case may be.

Concealing the death of a bastard child.

SECTION 90. If any master or mistress of an apprentice, or any person having the legal care and control of any infant, being legally liable to provide for such apprentice or infant, necessary food, clothing or lodging, and shall wilfully, and without lawful excuse, refuse or neglect to provide the same, or when the master or mistress, or person having the legal care and control of such apprentice or infant, shall unlawfully and maliciously assault such apprentice or infant, whereby his life shall be endangered, or his health shall have been, or shall be likely to be permanently injured, such master, mistress or other person, on being thereof convicted, shall be guilty of a misdemeanor, and be sentenced to pay a fine not exceeding five hundred dollars, or to undergo an imprisonment not exceeding two years, or both, or either, at the discretion of the court.

Maltreatment of infants and apprentices.

SECTION 91. If any person shall have unlawful carnal knowledge of a woman, forcibly and against her will, or who, being of the age of fourteen years and upwards, shall unlawfully and carnally know and abuse any woman child under the age of ten years, with or without her consent, such person shall be adjudged guilty of felonious rape, and on conviction, be sentenced to pay a fine not exceeding one thousand dollars, and to undergo an imprisonment, by separate or solitary confinement at labor, not exceeding fifteen years.

Rape and carnal knowledge of female children.

SECTION 92. It shall not be necessary, in any case of rape, sodomy or carnal abuse of a female child, under the age of ten years, to prove the actual emission of seed, in order to constitute a carnal knowledge, but the carnal knowledge shall be deemed complete upon proof of penetration only.

Proof of carnal knowledge.

SECTION 93. If any person shall be guilty of committing an assault and battery upon a female, with intent, forcibly and against her will, to have unlawful carnal knowledge of such female, every such person shall be guilty of a misdemeanor, and on conviction, be sentenced to pay a fine not exceeding one thousand dollars, and to undergo an imprisonment, by separate or solitary confinement at labor, not exceeding five years.

Assault with intent to commit rape.

SECTION 94. If any person shall maliciously, either by force or fraud, lead, take or carry away, or decoy or entice away, any child, under the age of ten years, with the intent to deprive its parent or parents, or any other person having the lawful charge or care of such child, of the possession of such child,

Enticing a child from its parents.

by concealing and detaining such child from such parent or parents, or other person or persons having the lawful charge or care of it, or with intent to steal any article of apparel or ornament, or other thing of value or use, upon or about the person of such child, to whomsoever such article may belong, or shall receive and harbor, with any such intent as aforesaid, any such child, knowing the same to have been so by force or fraud led, taken or carried, or decoyed or enticed away as aforesaid, every such person shall be guilty of a misdemeanor, and upon conviction thereof, be sentenced to pay a fine not exceeding two thousand dollars, and to undergo an imprisonment, by separate or solitary confinement at labor, not exceeding seven years: *Provided always*, That no person who shall have claimed to be the father of any illegitimate child, or to have any legal right to the possession of such child, shall be liable to be prosecuted by virtue hereof, on account of getting possession of such child, out of the possession of the mother or other person having lawful charge thereof.

#### Kidnapping.

SECTION 95. If any person or persons shall, by force or violence, take and carry away, or cause to be taken or carried away, or shall, by fraud or false pretence, entice or cause to be enticed, or shall attempt so to take, carry away or entice, any free negro or mulatto from any part of this commonwealth, to any other place whatsoever out of this commonwealth, with a design and intention of selling and disposing of, or of causing to be sold, or of keeping and detaining, or of causing to be kept and detained, such free negro or mulatto, as a slave or servant for life, or for any term whatsoever, every such person or persons shall be guilty of a misdemeanor, and on conviction thereof, shall be sentenced to pay a fine not exceeding two thousand dollars, one-half whereof shall be paid to the person or persons who shall prosecute for the same, and the other half to this commonwealth, and to undergo an imprisonment, by separate or solitary confinement at labor, not exceeding twelve years. If any person or persons shall hereafter knowing sell, transfer or assign, or shall knowingly purchase, take a transfer or assignment of any free negro or mulatto, for the purpose of fraudulently removing, exporting or carrying such free negro or mulatto out of this state, with the design or intent, by fraud or false pretences, of making him or her a slave or servant for life, or for any term whatsoever, every person so offending shall be guilty of a misdemeanor, and on conviction thereof, shall be sentenced to pay a fine not exceeding two thousand dollars, one-half whereof shall be paid to the person or persons who shall prosecute for the same, and the other half to this commonwealth, and at the discretion of the court, to undergo an imprisonment, by separate or solitary confinement at labor, not exceeding twelve years. No judge of any of the courts of this commonwealth, nor any alderman or justice of the peace of said commonwealth, shall have jurisdiction or take cognizance of the case of any fugitive from labor, from any of the United States or territories, under any act of congress; nor shall any such judge, alderman or justice of the peace of this commonwealth, issue or grant any certificate or warrant of removal of any such fugitive from labor, under any act of congress; and

if any alderman or justice of the peace of this commonwealth shall take cognizance or jurisdiction of the case of any such fugitive, or shall grant or issue any certificate or warrant of removal as aforesaid, then, and in either case, he shall be deemed guilty of a misdemeanor in office, and shall, on conviction thereof, be sentenced to pay, at the discretion of the court, any sum not exceeding one thousand dollars, the one-half to the party prosecuting for the same, and the other half to the use of this commonwealth. If any person or persons claiming any negro or mulatto, as a fugitive from servitude or labor, shall, under any pretence of authority whatsoever, violently and tumultuously seize upon and carry away to any place, or attempt to seize and carry away in a riotous, violent, tumultuous and unreasonable manner, and so as to disturb or endanger the public peace, any negro or mulatto, within this commonwealth, either with or without the intention of taking such negro or mulatto before any district or circuit judge, the person or persons so offending against the peace of this commonwealth shall be guilty of a misdemeanor, and on conviction thereof, shall be sentenced to pay a fine not exceeding one thousand dollars, and further, to be imprisoned in the county jail, for any period at the discretion of the court, not exceeding three months.

SECTION 96. All sales that shall hereafter be made within this state, of any fugitive from service or labor, who at the time of such sale shall be within the limits of this state, shall be utterly null and void; and if any person, under color or pretence of any such sale or sales, shall seize, arrest, or by intimidation, seduction or fraud, shall remove or cause to be removed from this state, any such fugitive thus sold, or attempted to be sold, the person so offending shall forfeit and pay the sum of five hundred dollars, one-half thereof to the use of this commonwealth, and the other half to the use of the party suing for the same. Sale of fugitive slaves to be void.

SECTION 97. Any person who shall be convicted of an assault and battery, or of an assault, shall be sentenced to pay a fine not exceeding one thousand dollars, and undergo an imprisonment not exceeding one year, or both, or either, at the discretion of the court. Assault and battery.

SECTION 98. If any person shall unlawfully and maliciously inflict upon another person, either with or without any weapon or instrument, any grievous bodily harm, or unlawfully cut, stab or wound any other person, every such person shall be guilty of a misdemeanor, and being convicted thereof, shall be sentenced to pay a fine not exceeding one thousand dollars, and to an imprisonment, either at labor by separate or solitary confinement, or to simple imprisonment, not exceeding three years. Aggravated assault.

SECTION 99. If upon the trial of any indictment for felony, except murder or manslaughter, the indictment shall allege that the defendant did cut, stab or wound any person, and the jury shall be satisfied that the defendant is guilty of the cutting, stabbing or wounding charged in such indictment, but are not satisfied of his guilt of the felony charged in such indictment, then, and in every such case, the jury may acquit the defendant of such felony, and find him guilty of a misdemeanor, in unlawful cutting, stabbing and wounding; and thereupon such Modified verdicts in cases of felonious assault.



defendant shall be sentenced to pay a fine not exceeding one thousand dollars, and to undergo an imprisonment, either at labor by separate or solitary confinement, or to simple imprisonment, not exceeding three years.

### TITLE VII. *Offences against Personal Property.*

Robbery, being armed with an offensive weapon.

SECTION 100. If any person, being armed with an offensive weapon or instrument, shall rob, or assault, with intent to rob another, or shall, together with one or more person or persons, rob, or assault, with intent to rob, or shall rob any person, and at the same time, or immediately before or immediately after such robbery, beat, strike or ill-use any person, or do violence to such person, the person so offending shall be guilty of felony, and being thereof convicted, shall be sentenced to pay a fine not exceeding one thousand dollars, and undergo an imprisonment, by separate or solitary confinement at labor, not exceeding ten years.

Robbery by threats to accuse of infamous crime.

SECTION 101. If any one shall accuse any person of the abominable crime of sodomy or buggery, committed either with man or beast, or of any assault, with intent to commit such abominable crime, or any attempt or endeavor to commit the same, or of making or offering any solicitation, persuasion, promise or threat to any person, whereby to move or induce such person to commit, or permit such abominable crime, with a view and intent, in any of the cases aforesaid, to extort or gain from such person, and shall, by intimidating such person by such accusation or threat, extort or gain from such person any money or property, the person so offending shall be deemed guilty of felony, and being thereof convicted, shall be sentenced to pay a fine not exceeding one thousand dollars, and to undergo an imprisonment, by separate or solitary confinement at labor, not exceeding ten years.

Robbery, stealing from the person and by menaces.

SECTION 102. If any person shall rob another, or shall steal any property from the person of another, or shall assault any person with intent to rob him, or shall, by menaces or by force, demand any property of another, with intent to steal the same, such person shall be guilty of felony, and being convicted thereof, shall be sentenced to pay a fine not exceeding one thousand dollars, and to undergo an imprisonment, by separate or solitary confinement, not exceeding five years.

Larceny

SECTION 103. If any person shall be guilty of larceny, he shall, on conviction, be deemed guilty of felony, and be sentenced to pay a fine not exceeding five hundred dollars, and to undergo an imprisonment, by separate or solitary confinement at labor, not exceeding three years.

Stealing property made larceny.

SECTION 104. If any person shall steal any bank bill, note, draft or check, of, or on any bank, or any bill of exchange, order, warrant, draft, bill or promissory note, for the payment of money, or any certificate or security whatsoever, entitling or evidencing the title of any person or body corporate, to any share, portion or interest in any public debt or security, or fund, either of this commonwealth or of the United States, or of any of the states thereof, or of any foreign state, or to any interest in any stock, fund or debt of any body corporate, company or



society, or to any deposit in any saving bank or company, being the property of another person, or any corporation, association or society, notwithstanding the said enumerated particulars are, or may be deemed in law, choses in action, such person shall be deemed guilty of larceny, and punished as is provided in the preceding section; and any person who shall steal any letters patent, charter, testament, will or deed, whether indented or poll covenant, assurance, lease, indenture, contract, letter of attorney, or other power or instrument of writing, respecting any property, real or personal, or any release, acquittance, voucher, receipt, receipt book, letter book, waste book, day book, journal, ledger, or other book of accounts belonging to another, every person so offending shall, on conviction, be adjudged guilty of larceny, and be sentenced to pay a fine not exceeding five hundred dollars, or to undergo an imprisonment, by separate or solitary confinement, not exceeding two years, or either, or both, at the discretion of the court.

SECTION 105. If any person shall be guilty of horse stealing, or as accessory thereto before the fact, or of having received or bought any horse, knowing the same to have been stolen, the person so offending shall be guilty of felony, and shall, on conviction, be sentenced to pay a fine not exceeding five hundred dollars, and to undergo an imprisonment, by separate or solitary confinement at labor, not exceeding ten years. Horse stealing.

SECTION 106. If any person shall steal or rip, cut or break, with intent to steal, any glass or wood work belonging to any building whatsoever, or any lead, iron, copper, brass or other metal, or any utensil or fixture, whether made of metal or other material, respectively fixed in or to any building whatsoever, or anything made of metal fixed in any land, being private property, or for a fence to any dwelling-house, garden or area, or in any square, street or other place dedicated to public use or ornament, every such offender shall be deemed guilty of larceny, and being thereof convicted, shall be sentenced to pay a fine not exceeding five hundred dollars, and undergo an imprisonment, by separate or solitary confinement at labor, not exceeding three years. Stealing lead, iron, &c., from houses.

SECTION 107. If any clerk, servant, or other person in the employ of another, shall, by virtue of such employment, receive and take into his possession any chattel, money or valuable security, which is or may be made the subject of larceny, for, or in the name, or on account of his master or employer, and shall fraudulently embezzle the same, or any part thereof, every such offender shall be deemed to have feloniously stolen the same from his master or employer, although such chattel, money or security was not received into the possession of such master or employer otherwise than by the actual possession of his clerk, servant or other person in his employ, and shall be punished as is provided in cases of larceny of like property. Clerks, servants or other employees stealing from employers.

SECTION 108. If any person, being a bailee of any property, shall fraudulently take or convert the same to his own use, or to the use of any other person, except the owner thereof, although he shall not break bulk or otherwise determine the bailment, he shall be guilty of larceny, and punished as is provided in cases of larceny of like property. Larceny by bailees.

Receiving stolen goods. SECTION 109. If any person shall buy or receive any goods, chattels, moneys or securities, or any other matter or thing, the stealing of which is made larceny by any law of this commonwealth, knowing the same to be stolen or feloniously taken, such person shall be guilty of felony, and on conviction, suffer the like pains and penalties which are by law imposed upon the person who shall have actually stolen or feloniously carried away the same.

Trial of receivers. SECTION 110. It may and shall be lawful to prosecute and punish all buyers and receivers, as well before as after the principal felon shall be taken and convicted, and whether he be amenable to justice or otherwise, which prosecution, conviction and sentence of said receivers shall exempt them from being prosecuted as accessories after the fact, in case the principal felon shall be afterwards convicted.

Cheats by fraudulent pretences. SECTION 111. If any person shall, by any false pretence, obtain the signature of any person to any written instrument, or shall obtain from any other person any chattel, money or valuable security, with intent to cheat and defraud any person of the same, every such offender shall be guilty of a misdemeanor, and on conviction, be sentenced to pay a fine not exceeding five hundred dollars, and undergo an imprisonment not exceeding three years: *Provided always*, That if upon the trial of any person indicted for such a misdemeanor, it shall be proved that he obtained the property in question in such manner as to amount in law to larceny, he shall not, by reason thereof, be entitled to be acquitted of such misdemeanor; and no person tried for such misdemeanor shall be liable to be afterwards prosecuted for larceny upon the same facts.

Proviso.

Cheating lodging-house keepers. SECTION 112. If any person, with intent to cheat or defraud, shall by any false or fraudulent representations, or by any false show of baggage, goods or chattels, which are calculated to deceive any hotel, inn or boarding-house keeper, obtain lodging and credit in any hotel, inn or boarding-house, and shall subsequently refuse to pay for his board and lodging, the person so offending shall be guilty of a misdemeanor, and on conviction, be sentenced to pay a fine not exceeding one hundred dollars, or undergo an imprisonment not exceeding three months, or both, or either, at the discretion of the court.

Embezzlement by trustees of trusts. SECTION 113. If any person, being a trustee of any property for the benefit, either wholly or partially, of some other person, or for any public or charitable purpose, shall, with intent to defraud, convert or appropriate the same, or any part thereof, to or for his own use or purpose, or the use or benefit of any other person, or shall, with intent aforesaid, otherwise dispose of or destroy such property, or any part thereof, he shall be guilty of a misdemeanor.

Embezzlement by bankers. SECTION 114. If any person, being a banker, broker, attorney, merchant or agent, and being entrusted, for safe custody, with the property of any other person, shall, with intent to defraud, sell, negotiate, transfer, pledge, or in any manner convert or appropriate to or for his own use, or the use of any other person, such property, or any part thereof, he shall be guilty of a misdemeanor.

SECTION 115. If any person intrusted with any power of attorney, for the sale or transfer of any property, shall fraudulently sell or transfer, or otherwise convert such property, or any part thereof, to his own use or benefit, or the use or benefit of any other person, he shall be guilty of a misdemeanor.

Embezzlement  
by attorneys in  
fact.

SECTION 116. If any person, being an officer, director or member of any bank, or other body corporate or public company, shall fraudulently take, convert or apply to his own use, or the use of any other person, any of the money or other property of such bank, body corporate or company, or belonging to any person or persons, corporation or association, and deposited therein, or in possession thereof, he shall be guilty of a misdemeanor.

Embezzlement  
by officers of  
bank and other  
corporations.

SECTION 117. If any person, being a director, officer or manager of any body corporate or public company, shall, as such, receive or possess himself of any money, or other property of such body corporate or public company, otherwise than in payment to him of a just debt or demand, and shall, with intent to defraud, omit to make, or to cause or direct to be made, a full and true entry thereof in the books and accounts of such body corporate or public company, he shall be guilty of a misdemeanor.

Keeping fraudulent accounts.

SECTION 118. If any director, manager, officer or member of any bank, or other body corporate or public company, shall, with intent to defraud, destroy, alter, mutilate or falsify any of the books, papers, writings or securities belonging to the bank, body corporate or public company, of which he is a director, manager, officer or member, or shall make or concur in the making of any false entry, or any material omission in any book of accounts or other document, he shall be guilty of a misdemeanor.

Destroying or  
mutilating books  
of a corporation.

SECTION 119. If any director, manager, officer or member of any bank, or other body corporate or public company, shall make, circulate or publish, or concur in making, circulating or publishing any written or printed statement or account, which he shall know to be false in any particular, with intent to deceive or defraud any member, shareholder or creditor of such body corporate or public company, or with intent to induce any person to become a shareholder or partner therein, or to entrust or advance any money or property to such body corporate or public company, or to enter into any security for the benefit thereof, he shall be guilty of a misdemeanor.

False statements  
by officers or  
members of corporations.

SECTION 120. If any person shall receive any money, chattel or valuable security, which shall have been so fraudulently disposed of, as to render the party disposing thereof guilty of a misdemeanor, knowing the same to have been so fraudulently disposed of, he shall be guilty of a misdemeanor, and may be indicted and convicted thereof, whether the party guilty of the principal misdemeanor shall, or shall not, have been previously convicted.

Receiving property fraudulently disposed of.

SECTION 121. Every person found guilty of a misdemeanor under either of the preceding sections of this title, wherein the nature and extent of the punishment is not specified, shall be sentenced to an imprisonment not exceeding two years, or be fined in any amount not exceeding one thousand dollars, or both, or either, at the discretion of the court.

Punishment for the foregoing misdemeanors.

Construction of the preceding sections.

SECTION 122. Nothing herein contained shall affect any remedy at law or in equity, which any party aggrieved might have heretofore had, nor affect or prejudice any agreement entered into, or security given, by any trustee, having for its object the restoration or re-payment of any trust property misappropriated.

No person exempt from answering questions in court.

SECTION 123. No such trustee, banker, merchant, broker, attorney, agent, director, officer or member as aforesaid, shall be enabled or entitled to refuse to make a full and complete discovery by answer to any bill in equity, or to answer any question or interrogatory in any civil proceeding in any court of law or equity, but no answer to any such bill, question or interrogatory, shall be admissible in evidence against such person charged with any of the said misdemeanors.

Definition of the words, "trustee" and "property."

SECTION 124. The word "trustee" herein shall mean a trustee on some express trust created by deed, will or instrument in writing, and shall also include the heir, devisee and personal representative of any such trustee, and all executors, administrators and assignees; the word "property" shall include every description of real and personal property, money, debts and legacies, and all deeds and instruments relating or evidencing the title or right to recover or receive any money or goods, and shall also include not only such property as may have been the original subject of a trust, but any property in which the same may have been converted, and the proceeds thereof, respectively, or anything acquired by such proceeds.

Embezzlement by consignees and factors.

SECTION 125. If any consignee or factor having the possession of merchandise, with authority to sell the same, or having possession of any bill of lading, permit, certificate, receipt or order for the delivery of merchandise with the like authority, shall deposit, or pledge such merchandise or document, consigned or entrusted to him as aforesaid, as a security for any money borrowed, or negotiable instrument received by such consignee or factor, and shall apply or dispose of the same to his own use, in violation of good faith, with intent to defraud the owner of such merchandise, and if any consignee or factor shall, with like fraudulent intent, apply or dispose of, to his own use, any money or negotiable instrument, raised or acquired by the sale, or other disposition of such merchandise, such consignee or factor, in every such case, shall be guilty of a misdemeanor, and be sentenced to pay a fine not exceeding two thousand dollars, and undergo an imprisonment, not exceeding five years.

Embezzlement by transporters, and buying and receiving embezzled goods.

SECTION 126. If any person engaged in carrying or transporting coal, iron, lumber, or other articles of merchandise, or property whatsoever, within this commonwealth, shall fraudulently sell or dispose of, or pledge the same or any part thereof, without the consent of the owner thereof, such offence shall be deemed a misdemeanor, and the offender shall, on conviction, be sentenced to pay a fine not exceeding five hundred dollars, and to undergo an imprisonment, not exceeding one year; or if any person shall knowingly buy and receive the said merchandise, knowing the same to have been sold, disposed of or pledged fraudulently, he shall, on conviction, be sentenced to the like punishment.

Conspiracy to indict.

SECTION 127. If any two or more persons shall conspire or agree falsely and maliciously, to charge or indict any other

person, or cause or procure him to be charged or indicted, in any court of criminal jurisdiction, the person so offending shall be guilty of a misdemeanor, and on conviction be sentenced to pay a fine not exceeding one thousand dollars, and to undergo an imprisonment, either at labor by separate or solitary confinement, or to simple imprisonment, not exceeding three years, at the discretion of the court.

SECTION 128. If any two or more persons shall falsely and maliciously conspire, and agree to cheat and defraud any person, or body corporate, of his or their moneys, goods, chattels, or other property, or to do any other dishonest, malicious and unlawful act, to the prejudice of another, they shall be guilty of a misdemeanor, and on conviction, be sentenced to pay a fine not exceeding five hundred dollars, and to undergo an imprisonment, by separate or solitary confinement at labor, or by simple imprisonment, not exceeding two years. Conspiracy to defraud.

SECTION 129. If any person shall fraudulently or maliciously tear, burn or in any other way destroy any deed, lease, will, bond, or any bill or note, check, draft or other security for the payment of money, or the delivery of goods, or any certificate of loan or other public security of this commonwealth, or of the United States, or any of them, or any certificate of the stock or debt of any bank, corporation or society, either of this commonwealth or the United States, or either of them, or of any foreign country, or any receipt, acquittance, release or discharge of any debt, suit or other demand, or any transfer or assurance of money, stock, goods, chattels or other property, or any letter of attorney or other power, or any day book or other book of accounts, or any agreement or contract whatever, with intent to defraud, prejudice or injure any person, bank, body corporate, society or association, the person so offending shall be guilty of a misdemeanor, and on conviction, be sentenced to pay a fine not exceeding five hundred dollars, and to undergo an imprisonment, not exceeding three years, or either, or both, at the discretion of the court. Fraudulently destroying any deed or other security.

SECTION 130. Any person who shall remove any of his property out of any county, with intent to prevent the same from being levied upon by any execution, or who shall secrete, assign, convey or otherwise dispose of any of his property, with intent to defraud any creditor, or to prevent such property being made liable for the payment of his debts, and any person who shall receive such property with such intent, or who shall, with like intent, collude with any debtor for the concealment of any part of his estate or effects, or for giving a false color thereto, or shall conceal any grant, sale, lease, bond or other instrument or proceeding, either in writing or by parol, or shall become a grantee, purchaser, lessee, obligee or other like party in any such instrument or proceeding, with the like fraudulent intent, or shall act as broker, scrivener, agent or witness, in regard to such instrument or proceeding, with the like intent, such person or persons, on conviction thereof, shall be guilty of a misdemeanor, and be sentenced to pay a sum not exceeding the value of the property or effects so secreted, assigned, conveyed or otherwise disposed of or concealed, or in respect to which such Fraudulently secreting or removing property by debtor.



collusion shall have taken place, and undergo an imprisonment, not exceeding one year.

Fraudulent insolvency.

SECTION 131. If it shall appear to the court upon the hearing of any petition in insolvency, either by the examination of the petitioner, or other evidence, that there is just ground to believe either—

I. That the insolvency of the petitioner arose from losses by gambling, or by the purchase of lottery tickets; or

II. That such petitioner had embezzled or applied to his own use any money, or other property with which he had been entrusted, either as bailee, agent or depositary, and to the prejudice of the opposing creditors; or

III. That he has concealed any part of his estate or effects, or colluded or contrived with any person for such concealment, or conveyed the same to any person for the use of himself, or any of his family or friends, or with the expectation of receiving any future benefit to himself or them, and with intent to defraud his creditors, in every such case it shall be the duty of the court to commit such person for trial.

Punishment of the aforesaid offence.

SECTION 132. If such debtor shall, upon trial, be convicted of any of the acts mentioned in the preceding section, he shall be adjudged guilty of a misdemeanor, and shall be sentenced as follows:

I. If found guilty of embezzlement or concealment of property, as aforesaid, he shall be sentenced to undergo an imprisonment, by separate or solitary confinement at labor, not exceeding seven years.

II. If it shall appear, by the verdict of the jury on such trial, that the insolvency of the petitioner was caused by gambling or the purchase of lottery tickets, as aforesaid, he shall be sentenced to an imprisonment not exceeding three years.

Indictment to be tried at second term.

SECTION 133. If no bill shall be presented to the grand jury at the next sessions, or if the bill shall not be found, or if the indictment shall not be tried at the second session after the commitment of such petitioner, unless the postponement of the trial take place at the instance of such petitioner, or if, upon trial, such debtor be acquitted, it shall be the duty of the court of common pleas to discharge him from imprisonment upon his proceeding as is provided by the insolvent laws.

Colluding with an insolvent for concealment of his effects.

SECTION 134. If any person, with intent to defraud the creditors of an insolvent debtor, or any of them, shall collude or contrive with such insolvent debtor for the concealment of any part of his estate or effects, or for giving a false color thereto, or shall contrive or concert any grant, sale, lease, bond or other instrument or proceeding, either in writing or by parol, or shall become a grantee, purchaser, lessee, obligee or other like party, in any such instrument or proceeding, with the like intent, or shall act as broker, scrivener, agent or witness, in regard to such instrument or proceeding, with the like intent, such person shall be guilty of a misdemeanor, and, on conviction thereof, be sentenced to pay a fine not exceeding ten thousand dollars, and to undergo an imprisonment not exceeding two years, and shall forfeit all claim which he may have to any part of the estate of such debtor.



**TITLE VIII. *Offences against Real Property, and Malicious Mischief.***

**SECTION 135.** If any person shall, by night, wilfully and maliciously break or enter into the state capitol, or other public building belonging to the commonwealth, or to any city or county thereof, or to any body corporate, society or association, or into any church, meeting house or dwelling house, or out-house, parcel of said dwelling house, with an intent to kill, rob, steal or commit a rape, or any felony whatever, whether the felonious intent be executed or not, the person so offending shall, on conviction, be adjudged guilty of felonious burglary, and be sentenced to pay a fine not exceeding one thousand dollars, and to undergo an imprisonment, by separate or solitary confinement at labor, not exceeding ten years. Burglary.

**SECTION 136.** If any person shall in the day time, break and enter any dwelling house, shop, warehouse, store, mill, barn, stable, out-house or other building, or wilfully and maliciously, either by day or by night, without breaking, enter the same with intent to commit any felony whatever therein, the person so offending shall be guilty of felony, and on conviction, be sentenced to pay a fine not exceeding five hundred dollars, and to undergo an imprisonment, by separate or solitary confinement, at labor, not exceeding four years. Entering a dwelling house in the day time to commit felony.

**SECTION 137.** If any person shall maliciously and voluntarily burn or cause to be burned, or set fire to, or cause, or attempt to set fire to, with intent to burn any factory, mill or dwelling house of another, or any kitchen, shop, barn, stable or other out-house that is parcel of such dwelling, or belonging, or adjoining thereto, or any other building by means whereof a dwelling house shall be burnt, then, and in every such case, the person so offending shall be adjudged guilty of felonious arson, and on conviction thereof, shall be sentenced to pay a fine not exceeding two thousand dollars, and to undergo an imprisonment, by separate or solitary confinement, at labor, not exceeding twelve years; and in case of the malicious burning or setting fire to any dwelling house, or building that is parcel of such dwelling or belonging thereto, there is any person in the same, the offender being convicted thereof, shall be sentenced to pay a fine not exceeding four thousand dollars, and to undergo an imprisonment, at separate or solitary confinement, not exceeding twenty years. Arson.

**SECTION 138.** If any person shall wilfully and maliciously burn, or cause to be burned, set fire to, or attempt to set fire to, with intent to burn, or aid, counsel, procure or consent to the burning or setting fire to, of any barn, stable or other building of another not parcel of the dwelling house, or any shop, storehouse or warehouse, malthouse, mill or other building of another, or any barrick, rick or stack of grain, hay, fodder or bark, piles of wood, boards or other lumber, or any ship, boat or other vessel of another lying within any county in this state, or any wooden bridge within the same, or state capitol or adjoining offices, or any church, meeting house, court house, jail or other public building belonging to this commonwealth, or to any city or county thereof, or to any body corporate or reli- Burning out-houses and setting fire with intent to burn.

gious society whatever, the person offending shall, on conviction, be adjudged guilty of a misdemeanor, and be sentenced to pay a fine not exceeding two thousand dollars, and to undergo an imprisonment, by separate or solitary confinement at labor, not exceeding ten years.

Setting fire with  
intent to defraud  
insurers.

SECTION 139. Every person, being the owner of any ship, boat or other vessel, or the owner, tenant or occupant of any house, out-house, office, store, shop, warehouse, mill, distillery, brewery or manufactory, barn or stable, or any other building, who shall wilfully burn or set fire thereto, with intention to burn the same, with an intention thereby to defraud or prejudice any person, or body politic or corporate, that hath underwritten or shall underwrite any policy of insurance thereon, or on any moneys, goods, wares or merchandise therein, or that shall be otherwise interested therein, shall be guilty of a misdemeanor, and, on conviction, be sentenced to pay a fine not exceeding one thousand dollars, and to undergo an imprisonment, by separate or solitary confinement at labor, not exceeding seven years.

Firing woods.

SECTION 140. If any person shall wilfully set on fire, or cause to be set on fire, any woods, lands or marshes within this commonwealth, so as thereby to occasion loss, damage or injury to any other person, he or she shall be guilty of a misdemeanor, and on conviction, be sentenced to pay a fine not exceeding one hundred dollars, and to undergo an imprisonment not exceeding twelve months.

Attempting to  
blow up building

SECTION 141. If any person shall unlawfully and maliciously place or throw in, into, upon, against or near any building or vessel, any gunpowder or other explosive mixture, with intent to do bodily harm to any person, or to destroy or damage any building or vessel, or any machinery, working tools, fixtures, goods or chattels, every such offender shall, whether or not injury is effected to any person, or any damage to any building, vessel or machinery, working tools, goods or chattels, be guilty of felony, and being thereof convicted, shall be sentenced to pay a fine not exceeding five hundred dollars, and to undergo an imprisonment, by separate or solitary confinement at labor, not exceeding three years.

Malicious injury  
to railroads.

SECTION 142. If any person shall wilfully and maliciously put, place, cast or throw upon or across any railroad, any wood, stone or other matter or thing, or shall wilfully and maliciously take up, remove or displace any rail, sleeper or other matter or thing belonging to any railroad, or shall wilfully and maliciously turn, move or divert any switch or other machinery belonging to any railroad, or shall wilfully and maliciously make or show, hide or remove any signal or light upon or near any railroad, or shall wilfully and maliciously do, or cause to be done, any other matter or thing, with intent, in any of the cases aforesaid, to obstruct, upset, overthrow, injure or destroy any tender, carriage, car or truck used on such railroad, or to endanger the safety of any person traveling, or being upon such railroad, every such offender shall be guilty of felony, and being thereof convicted, shall be sentenced to pay a fine not exceeding ten thousand dollars, and to undergo an imprisonment, by separate or solitary confinement at labor, not exceeding ten years.

SECTION 143. If any person shall wilfully and maliciously cast, throw, or cause to fall or strike against, into or upon any engine, tender, carriage, car or truck used upon any railroad, any wood or stone, or other matter or thing, with intent to endanger the safety of any person being in or upon such engine, tender, carriage, car or truck, every such offender shall be guilty of misdemeanor, and being thereof convicted, shall be sentenced to pay a fine not exceeding one thousand dollars, and to undergo an imprisonment not exceeding three years.

Casting wood, stone, &c., upon a car.

SECTION 144. If any person shall wilfully and maliciously break, throw down, level or destroy the whole or any part of any lock, sluice, flood-gate, bank, waste-wier, dam, aqueduct, culvert, bridge, feeder, guard-wall, towing-path or berme bank belonging to any artificial navigation, or stop up or obstruct any such feeder, waste-wier, aqueduct or culvert, such person shall be guilty of a misdemeanor, and on conviction, be sentenced to pay a fine not exceeding one hundred dollars, and undergo an imprisonment, by separate or solitary confinement, or by simple imprisonment, at labor, not exceeding three years.

Malicious injury to artificial navigation.

SECTION 145. If any person shall wantonly open or shut, or cause to be opened or shut, any lock or safety-gate, or any wicket, paddle or culvert gate, or any waste, feeder or sluice gate, or drive any nails, spikes, pins or wedges into any such gate or fixtures thereof, or shall take any other means to prevent the perfect and free use of the same, or shall wantonly and maliciously break, throw down or destroy any fence, wall or timber work, on any canal, pool, feeder or other part of any artificial navigation; or if any person shall wilfully obstruct the navigation of any canal or pool, by throwing into the same, or sinking to the bottom thereof, any vessel, timber, stone, earth or other thing, or by placing anything whatever upon any towing-paths, such person shall be guilty of a misdemeanor, and on conviction, be sentenced to pay a fine not exceeding one hundred dollars, and undergo an imprisonment not exceeding three calendar months.

Wantonly opening or shutting any lock, &c.

SECTION 146. If any person shall unlawfully and maliciously break down or cut down the bank or wall of any river, canal or marsh, whereby any land shall be overflowed or damaged, or be in danger thereof, such person shall be guilty of a misdemeanor, and being thereof convicted, be sentenced to pay a fine not exceeding one hundred dollars, and to undergo an imprisonment not exceeding one year.

Destroying any bank or wall.

SECTION 147. If any person shall unlawfully and maliciously break, injure or otherwise destroy or damage any part of any locomotive or stationary engine, inclined plane, engine house, station or depot, bridge, culvert, trussel work or other building or structure belonging to any railroad, or any other part of such railroad; or shall wantonly and maliciously derange or displace the fixtures or machinery of any locomotive or stationary engine, used or employed on any railroad; or shall wilfully and maliciously destroy or injure any fence or wall, cross road passing over or under such railroad; or shall unlawfully and maliciously break, injure or otherwise destroy or damage any of the posts, wires or other materials or fixtures employed in the construction and use in any line of an electrical telegraph, or shall wilfully

Destroying or damaging bridges, buoys, flag staffs, houses, &c.

and maliciously interfere with such structure so erected, or in any way attempt to lead from its uses or make use of the electrical current, or any portion thereof, properly belonging to and in use, or in readiness to be made use of, for the purpose of communicating telegraphically from one station of a telegraph company to another established station of the same, or a connecting telegraph line; or shall unlawfully and maliciously break, injure or otherwise destroy or damage any bridge, river or meadow bank or mill dam; or wilfully and maliciously take down, injure, remove or in any manner damage or destroy any flag, flag-staff, beacon, buoy or other way or water marks, which now are or hereafter may be put, erected or placed, by lawful authority, near or in any streams that are or may be declared public highways; or shall unlawfully and maliciously cut, break or otherwise destroy any lead, tin, copper or iron spout affixed to any house or other building, public or private; or shall unlawfully and maliciously daub, paint or otherwise deface any dwelling house, such offender shall be guilty of a misdemeanor, and upon conviction, be sentenced to pay a fine not exceeding five hundred dollars, and undergo an imprisonment not exceeding twelve months, or both, or either, at the discretion of the court.

Breaking windows, tearing off knockers, &c.

SECTION 148. If any person shall wilfully and maliciously break, injure or destroy any window or door belonging to any dwelling house or out-house, parcel thereof; or shall unlawfully and maliciously break or take off from the door any knocker or bell-pull, or plate inscribed with the name of the occupant, or number of the house; or shall wilfully and maliciously destroy, take down, injure or deface any sign, put up by an inhabitant to denote the place of his abode, occupation, business or employment, such person shall be guilty of a misdemeanor, and upon conviction, shall be sentenced to pay a fine not exceeding one hundred dollars, or suffer an imprisonment not exceeding six months, or both, or either, at the discretion of the court.

Injury to the grounds of the capitol hill.

SECTION 149. If any person shall wilfully and maliciously break down any tree or shrub growing on the public grounds as enclosed on capitol hill, or otherwise injure or destroy the same, or shall break or destroy the fence around such enclosure, or any part thereof, or shall maliciously and wilfully injure any part of the public grounds, or the buildings belonging to the state; or if any person shall wilfully or maliciously injure or destroy any fruit or ornamental trees, shrub, plant or grape vines growing or cultivated in any orchard, garden, or close, or upon any public street or square in this commonwealth, he shall be guilty of a misdemeanor, and on conviction, be fined not exceeding one hundred dollars, and undergo an imprisonment not exceeding six months, or both, or either, at the discretion of the court.

Drowning any mine or filling up any shaft.

SECTION 150. If any person shall unlawfully and maliciously cause any water to be conveyed into any mine, or into any subterraneous passage communicating therewith, with intent thereby to destroy or damage such mine, or to hinder or delay the working thereof, or shall, with the like intent, unlawfully and maliciously pull down, fill up or obstruct any airway, waterway, drain, pit, level or shaft of, or belonging to any mine,

such offender, his aiders and abettors, shall, on conviction thereof, be sentenced to pay a fine not exceeding five hundred dollars, and undergo an imprisonment not exceeding two years.

SECTION 151. If any person shall wilfully and maliciously cut, injure or destroy, or deface any hose or engine, or any apparatus appertaining to the same, belonging to any fire engine or hose company, he shall be guilty of a misdemeanor, and on conviction, be sentenced to pay a fine not exceeding five hundred dollars, and to undergo an imprisonment, by separate or solitary confinement at labor, not exceeding three years.

Maliciously injuring fire engines or hose.

SECTION 152. If any person shall cut down or fell any timber tree or trees, knowing the same to be growing or standing upon the lands of another person, without the consent of the owner, or if any person shall purchase or receive any timber tree or trees, knowing the same to have been cut or removed from the lands of another, without the consent of the owner thereof, or who shall purchase or receive any planks, boards, staves, shingles or other lumber made from such timber tree or trees, so as aforesaid cut or removed, knowing the same to have been so made, the person so offending shall be guilty of a misdemeanor, and being thereof convicted, shall be sentenced to pay such fine, not exceeding one thousand dollars, or to such imprisonment, not exceeding one year, as the court, in their discretion, may think proper to impose.

Cutting down timber trees.

SECTION 153. If any person shall knowingly and maliciously cut, fell, alter or remove any certain bounded tree, or other allowed land mark, to the wrong of his neighbor, or any other person, he shall be guilty of a misdemeanor, and on conviction, be sentenced to pay a fine not exceeding five hundred dollars, and to undergo an imprisonment not exceeding one year.

Removing or destroying land marks.

SECTION 154. Every person who shall wilfully and maliciously kill, maim or disfigure any horses, cattle, or other domestic animals of another person, or shall wilfully and maliciously administer poison to any such beasts, or expose any poisonous substance, with intent that the same should be taken or swallowed by them, shall be guilty of a misdemeanor, and being thereof convicted, shall be sentenced to pay a fine not exceeding five hundred dollars, and to undergo an imprisonment, by separate or solitary confinement at labor, not exceeding three years.

Killing, maiming or wounding cattle.

SECTION 155. If any person shall unlawfully and maliciously destroy or damage anything kept for the purpose of art, science or literature, or as an object of curiosity, in any museum, gallery, cabinet, library or other repository, which museum, gallery, cabinet, library or other repository, is either at all times, or from time to time, open for the admission of the public, or any considerable number of persons to view the same, either by the permission of the proprietor thereof or by payment of money for entering the same, or any picture, statue, monument or painted glass in any church, meeting house or other place of religious worship, or any statue or monument exposed to public view, such person shall be guilty of a misdemeanor, and being convicted thereof, shall be sentenced to pay a fine not exceeding five hundred dollars, and to undergo an imprisonment not exceeding six months.

Malicious injury to works of art.



TITLE IX. *Offences against the Coin, and Forgery.*

Counterfeiting  
coin.

SECTION 156. Any person who shall falsely and fraudulently make or counterfeit any coin, resembling or apparently intended to resemble, any gold or silver coin, which is or shall be passing, or in circulation as money, within this commonwealth, shall be guilty of felony, and being thereof convicted, shall be sentenced to pay a fine not exceeding one thousand dollars, and undergo an imprisonment, by separate or solitary confinement at labor, not exceeding five years; and every such offence shall be deemed complete, although the coin so made or counterfeited shall not be in a fit state to be uttered, or the counterfeiting thereof shall not be finished or perfected.

Coloring coun-  
terfeit coin with  
intent to pass the  
same.

SECTION 157. If any person shall gild or silver, or shall with any wash or materials capable of producing the color of gold or silver, wash, color or case over any coin whatsoever, resembling or apparently intended to resemble, or pass for any gold or silver coin, which is or shall be current in this commonwealth, or if any person shall gild or silver, or shall with any wash or materials capable of producing the color of gold or silver, wash, color or case over any piece of silver or copper, or of coarse gold or coarse silver, or of any metal or mixture of metals, respectively, being of a fit size and figure to be coined, and with the intent that the same shall be coined into false and counterfeit coin, resembling, or apparently intended to resemble, or pass for any coin which is or shall be current in this commonwealth, or if any person shall gild, or shall with any wash or materials capable of producing the color of gold, wash, color, or case over any silver coin, which is or shall be current as aforesaid, or file, or in any manner alter such coin, with intent to make the same resemble or pass for any current gold or silver coin, or if any person shall gild or silver, or shall with any wash or materials capable of producing the color of gold or silver, wash, color, or case over any copper coin, current in this commonwealth, or file, or in any manner alter such coin, with intent to make the same resemble or pass for any gold or silver coin, current in this commonwealth, every such offender shall be guilty of felony, and being thereof convicted, shall be sentenced to pay a fine not exceeding one thousand dollars, and to undergo an imprisonment, by separate or solitary confinement at labor, not exceeding five years.

Impairing the  
coin.

SECTION 158. If any person shall impair, diminish or lighten any gold or silver coin, which is or shall be current in this commonwealth, with intent to make the coin so impaired, diminished or lightened, pass for gold or silver coin current as aforesaid, every such offender shall be guilty of felony, and being thereof convicted, shall be sentenced to pay a fine not exceeding five hundred dollars, and to undergo an imprisonment, by separate or solitary confinement at labor, not exceeding three years.

Buying and sell-  
ing counterfeit  
coin.

SECTION 159. If any person shall buy, sell, receive, pay or put off, or offer so to do, any false or counterfeit coin, resembling, or apparently intended to resemble, or pass for any gold or silver coin which is or shall be current in this commonwealth, at or for a lower rate or value than the same, by its denomination, imports, or was coined or counterfeited for, or if any person



shall import into this commonwealth from any of the states of the Union, or from any foreign country, any false or counterfeit gold or silver coin, resembling, or apparently intended to resemble, or pass for any gold or silver coin which is or shall be current in this commonwealth, knowing the same to be false or counterfeit, every such offender shall be guilty of felony, and being convicted thereof, shall be sentenced to pay a fine not exceeding one thousand dollars, and to undergo an imprisonment, by separate or solitary confinement at labor, not exceeding five years.

SECTION 160. If any person shall tender, utter, pass, or put off any false or counterfeit coin, resembling, or apparently intended to resemble, or pass for any gold or silver coin which is or shall be current in this commonwealth, knowing the same to be false or counterfeit, such person shall be guilty of a misdemeanor, and on conviction, be sentenced to pay a fine not exceeding one thousand dollars, and to undergo an imprisonment, by separate or solitary confinement at labor, not exceeding five years.

Uttering counterfeit gold and silver coin.

SECTION 161. If any person shall make or mend, or proceed to make or mend, buy or sell, hide or conceal, or knowingly have in his house, custody or possession, any puncheon, matrix, dye, stamp, mould, edger or cutting engine, used or designed for coining or counterfeiting gold, silver or copper moneys, or any part of such tool or engine, with the knowledge that such tool and instrument is intended to be used in the false and fraudulent making, forging and counterfeiting of any gold, silver or copper coin which now is, or shall be current and passing in this state as money, or with the intent to use such tool or instrument for the fraudulent purpose aforesaid, or shall aid, abet, counsel or command the perpetration of either of the said offences, such person shall be guilty of a misdemeanor, and on conviction, be sentenced to pay a fine not exceeding one thousand dollars, and to undergo an imprisonment, by separate or solitary confinement at labor, not more than six years.

Making or having possession of coining tools.

SECTION 162. If any person shall falsely make or counterfeit any coin, resembling, or apparently intended to resemble or pass for any copper, nickel or bronze coin, which is or may be current in this commonwealth; or if any person shall knowingly make or mend, or procure to be made or mended, or buy or sell, or shall knowingly have in his custody or possession any instrument, tool or engine adapted to, or intended for the counterfeiting of any such coin, current as aforesaid; or if any person shall buy, sell, receive, pay or put off, or offer to buy, sell, receive, pay or put off, any false or counterfeit coin, resembling, or apparently intended to resemble or pass for any such coin, current as aforesaid, at or for a lower rate or value than the same, by its denomination, imports, or was coined or counterfeited for, every such offender shall be guilty of felony, and being thereof convicted, shall be sentenced to pay a fine not exceeding one thousand dollars, and to undergo an imprisonment, by separate or solitary confinement at labor, not exceeding three years.

Offences relating to the copper coin.

SECTION 163. That where, upon the trial of any person charged with any offence enumerated in the seven preceding sections, it shall be necessary to prove any coin, produced in evidence against

What shall be proof of being counterfeit.

such person, to be false or counterfeit, it shall not be necessary to prove the same to be false and counterfeit by the evidence of any officer of the United States mint, but it shall be sufficient to prove the same false or counterfeit by the evidence of any other credible witness.

Counterfeiting bank notes and checks, and altering and passing the same.

SECTION 164. If any person shall falsely and fraudulently make, forge or counterfeit, or cause or procure to be falsely made, forged or counterfeited, or willingly aid or assist in the false making, forging or counterfeiting any bill or note, or imitation of, or purporting to be a bill or note issued by order of the president, directors and company of any bank incorporated by the laws of this commonwealth, or by the laws of any of the states or territories of the Union, or of the District of Columbia, or any order, check or draft on either of the said banks, or any cashier of the same; or if any person shall falsely alter, or cause to be falsely altered, or aid and abet in the falsely altering any bill or note issued by any of the said banks, or any check, order or draft on the same, or the cashier of any thereof, or shall pass, utter, publish, or attempt to pass, utter or publish as true, any false, forged or counterfeit bill or note issued by any of the said banks, or by order of the president and directors of any thereof, or any false, forged or counterfeited order, check or draft, upon any of the said banks, or any cashier thereof, knowing the same to be falsely forged or counterfeited, or shall pass, utter or publish, or attempt to pass, utter or publish as true, any falsely and fraudulently altered bill or note, issued by any of the said banks, or by order of the president and directors thereof, or any falsely altered order, check or draft on any of the said banks, or on any cashier thereof, knowing the same to be falsely altered, with intent to defraud any of the said banks, or any other body politic or person, or shall sell, utter or deliver, or cause to be sold, uttered or delivered, any forged or counterfeit note or bill in imitation, or purporting to be a bill or note issued by any of the said banks, or by order of the president and directors thereof, knowing the same to be false, forged and counterfeited, such offender shall be guilty of felony, and on conviction, shall be sentenced to pay a fine not exceeding one thousand dollars, and undergo an imprisonment, by separate or solitary confinement at labor, not exceeding five years.

Having in possession plates, bank notes or bank note paper.

SECTION 165. If any person shall make, engrave or prepare, or cause to be made, engraved or prepared, or shall have in his custody or possession, any metallic or other plate or substance, either made, engraved or prepared after the similitude of any plate from which any notes or bills issued by any of the said banks shall have been printed or taken, or wherefrom and by means whereof notes or bills may be made, engraved or prepared after the similitude of notes or bills issued by any such bank, with intent to use such plate or substance, or to cause or suffer the same to be used in forging or counterfeiting any of the notes or bills issued by any of the said banks, or shall have in his custody or possession any note or notes, or blank note or notes, bill or bills, made, engraved, printed or otherwise prepared, after the similitude of any notes or bills issued by either of the said banks, with intent to pass, utter and publish such simulated notes, or to use such blanks, or cause or suffer the same to be

used in forging or counterfeiting any of the notes or bills issued by the said banks, or either of them, or shall have in his custody or possession any paper adapted to the making of bank notes or bills, and similar to the paper upon which any of the notes or bills of either of the said banks shall have been issued, with intent to use such paper, or cause or suffer the same to be used in forging or counterfeiting any of the notes or bills issued by either of the said banks, such offender shall be guilty of felony, and be sentenced to pay a fine not exceeding one thousand dollars, and undergo an imprisonment, by separate or solitary confinement at labor, not exceeding five years.

SECTION 166. If any person shall fraudulently connect different parts of several bank notes, or other instruments, in such a manner as to produce one or more additional notes or instruments, with intent to pass or utter all or any thereof as genuine, or shall utter, publish or pass the same, or either of them, with the intent to defraud any person or body corporate, the said offence shall be deemed forgery or fraudulent uttering and publishing, in like manner, as if each of them had been falsely made, forged or counterfeited, and shall be punished accordingly.

Connecting parts of notes so as to produce more.

SECTION 167. If any person shall have in his possession or under his custody, at the same time, ten or more similar false, forged, altered or counterfeited bank bills or notes, knowing the same to be false, forged, counterfeited or altered, with intent to utter or pass the same as true and genuine, or to sell the same, and thereby injure and defraud, or cause to injure and defraud, such offender shall, on conviction, be sentenced as in cases of forgery or fraudulently uttering and passing such notes.

Having in possession more than ten forged notes, with intent to defraud.

SECTION 168. If any person shall fraudulently utter or pass any note or bill purporting to be the note or bill of a bank, company or association which never did in fact legally exist, knowing that the bank, company or association purporting to have issued the same never did legally exist, such offender shall, on conviction, be sentenced as in cases of uttering and publishing forged and counterfeited bank notes, knowing the same to be forged.

Passing notes of fictitious banks.

SECTION 169. If any person shall fraudulently make, sign, alter, utter or publish, or be concerned in the fraudulently making, signing, altering, uttering or publishing any written instrument, other than notes, bills, checks or drafts already mentioned, to the prejudice of another's right, with intent to defraud any person or body corporate, or shall fraudulently cause or procure the same to be done, he shall be guilty of a misdemeanor, and, on conviction, be sentenced to pay a fine not exceeding one thousand dollars, and to undergo an imprisonment, by separate or solitary confinement at labor, not exceeding ten years.

Fraudulent making or altering any written instrument.

SECTION 170. If any person shall falsely and fraudulently forge or counterfeit, or falsely and fraudulently be concerned in the forging and counterfeiting the great or less seal of the commonwealth, the public and common seal of any court, office, county or corporation, or any other seal authorized by law, or shall falsely and fraudulently utter and publish any instrument or writing whatever impressed with such forged and counterfeit seal, knowing the same to be forged and counterfeit, he

Forging public seals.

shall be guilty of a misdemeanor, and, on conviction, be sentenced to pay a fine not exceeding one thousand dollars, and to undergo an imprisonment, by separate or solitary confinement at labor, not exceeding seven years.

Embezzling or  
corrupting re-  
cords

SECTION 171. If any person shall forge, deface, embezzle, alter, corrupt, withdraw, falsify, or unlawfully avoid any record, charter, gift, grant, conveyance or contract, or shall knowingly, fraudulently or unlawfully, spare, take off, discharge or conceal any fine, forfeited recognizance or other forfeiture, or shall forge, deface or falsify any registry, acknowledgment or certificate, or shall alter, deface or falsify any minute, document, book or any proceeding whatever of or belonging to any public office within this commonwealth, or if any person shall cause or procure any of the offences aforesaid to be committed, or be in anywise concerned therein, he shall be guilty of a misdemeanor, and, on conviction, be sentenced to pay a fine not exceeding two thousand dollars, and to undergo an imprisonment, by separate or solitary confinement at labor, not exceeding seven years; and if a public officer, he shall be removed from said office, and the same be declared vacant by the court passing sentence upon him.

Counterfeiting  
public brands.

SECTION 172. If any person shall counterfeit or fraudulently impress the brand, mark or any number or mark of any public inspector, or mark or number in imitation thereof, upon any article subject to inspection, or upon any cask or vessel containing such article, or shall counterfeit the stamp of any such inspector upon any plug, or shall fraudulently stamp any plug put into any cask, or shall fraudulently alter, deface, conceal or erase any inspection mark duly made; or if any person shall counterfeit or fraudulently impress upon any article liable to inspection, or upon any cask or vessel containing such article, the brand, mark or other mark of any miller, manufacturer, packer or other person, or shall fraudulently alter, deface or erase any such mark, or shall fraudulently impress the brand, mark or other mark of any person upon such article or vessel, the person so offending shall be guilty of a misdemeanor, and be sentenced to pay a fine not exceeding two hundred dollars, and undergo an imprisonment not exceeding one year, or both, or either, at the discretion of the court.

Counterfeiting  
trade marks.

SECTION 173. If any person shall knowingly and wilfully forge or counterfeit, or cause or procure to be forged or counterfeited, any representation, likeness, similitude, copy or imitation of the private stamps, wrappers or labels, usually affixed by any mechanic or manufacturer to and used by such mechanic or manufacturer on or in the sale of any goods, wares or merchandise, with intent to deceive or defraud the purchaser or manufacturer of any goods, wares or merchandise whatsoever, such person shall be guilty of a misdemeanor, and, on conviction thereof, be sentenced to pay a fine not exceeding one hundred dollars, and undergo an imprisonment not exceeding two years.

Having possession of dies,  
plates, &c., with  
intent to use the  
same.

SECTION 174. If any person shall have in his possession any die, plate, engraving or printed label, stamp or wrapper, or any representation, likeness, similitude, copy or imitation of the private stamp, wrapper or label usually affixed by any mechanic

or manufacturer to and used by such manufacturer or mechanic on or in the sale of any goods, wares or merchandise, with intent to use or sell the said die, plate, engraving or printed stamp, label or wrapper, for the purpose of aiding or assisting, in any way whatever, in vending any goods, wares or merchandise, in imitation of or intended to resemble and to be sold for the goods, wares or merchandise of such mechanic or manufacturer, such person shall be guilty of a misdemeanor, and upon being thereof convicted, be sentenced to pay a fine not exceeding one hundred dollars, and to undergo an imprisonment not exceeding one year.

SECTION 175. If any person shall vend any goods, wares or merchandise, having thereon any forged or counterfeited stamps or labels of any mechanic or manufacturer, knowing the same to be forged or counterfeited, and resembling or purporting to be imitations of the stamps or labels of such mechanic or manufacturer, without disclosing the fact to the purchaser thereof, such person shall, upon conviction, be deemed guilty of a misdemeanor, and be sentenced to pay a fine not exceeding five hundred dollars.

Vending goods fraudulently marked.

SECTION 176. If any person, whether an operator in any telegraph office or otherwise, shall knowingly send or cause to be sent, by telegraph, any false or forged message as from such office, or as from any other person, knowing the same to be false, forged or counterfeited, with intent to deceive, injure or defraud any individual or body corporate, such offender, on conviction, shall be guilty of a misdemeanor, and be sentenced to pay a fine not exceeding five hundred dollars, and undergo an imprisonment not exceeding one year.

Forged telegraphic dispatches.

#### TITLE X. *General Provisions.*

SECTION 177. No crime whatsoever, hereafter committed, except murder of the first degree, shall be punished with death in the state of Pennsylvania.

Capital punishment.

SECTION 178. Every felony, misdemeanor or offence whatever, not specially provided for by this act, may and shall be punished as heretofore.

Crimes not provided for, how punished.

SECTION 179. On all convictions for robbery, burglary or larceny of any goods, chattels or other property, made the subject of larceny by the laws of this commonwealth, or for otherwise unlawfully and fraudulently taking or obtaining the same, or of receiving such goods, chattels or other property, knowing the same to be stolen, the defendant shall, in addition to the punishment heretofore prescribed for such offences, be adjudged to restore to the owner the property taken, or to pay the value of the same, or so much thereof as may not be restored. And on all convictions on any indictment for forgery, for uttering, publishing or passing any forged or counterfeit coin, bank notes, check or writing, or any indictment for fraudulently, by means of false tokens or pretences, or otherwise cheating and defrauding another of his goods, chattels or other property, the defendant, in addition to the punishment hereinbefore prescribed for such offences, shall be adjudged to make similar restitution, or other compensation, as in case of larceny, to the person de-

Restitution to be awarded in certain cases, and party aggrieved to be a witness



frauded: *Provided*, That nothing herein shall be so construed as to prevent the party aggrieved, and to whom restitution is to be awarded, from being a competent witness on the trial of the offender.

**Accessories.**

SECTION 180. Every principal in the second degree, or accessory before the fact, to any felony punishable under this act, for whom no punishment has been hereinbefore provided, shall be punishable in the same manner as the principal in the first degree is by this act punishable. Every accessory after the fact to any felony, punishable under this act, for whom no punishment has been hereinbefore provided, shall, on conviction, be sentenced to a fine not exceeding five hundred dollars, and to undergo an imprisonment, with or without labor, at the discretion of the court, not exceeding two years. And every person who shall counsel, aid or abet the commission of any misdemeanor, punishable under this act, for whom no punishment has been hereinbefore provided, shall be liable to be proceeded against and punished as the principal offender.

Sentence fulfilled, to effect a pardon.

SECTION 181. Where any person hath been, or shall be convicted of any felony, not punishable with death, or any misdemeanor punishable with imprisonment at labor, and hath endured, or shall endure the punishment to which such offender hath been or shall be adjudged for the same, the punishment so endured shall have the like effects and consequences as a pardon by the governor, as to the felony or misdemeanor whereof such person was so convicted: *Provided*, That nothing herein contained, nor the enduring of such punishment, shall prevent or mitigate any punishment which the offender might otherwise be lawfully sentenced on a subsequent conviction for any other felony or misdemeanor, and that the provisions of this section shall not extend to the case of a party convicted of wilful and corrupt perjury.

Second conviction after punishment of similar offences.

SECTION 182. If any person who has been convicted of any offence, other than murder of the second degree, for which the punishment prescribed by this code is imprisonment by separate or solitary confinement at labor, shall, after such conviction, be guilty of a similar offence, or of any offence for which such punishment is directed, he shall in either case, upon conviction, be sentenced to undergo an imprisonment, and be kept at labor not exceeding double the whole period of time which may, by the penal laws of this commonwealth, be prescribed for the crime of which he is convicted.

Acts of assembly to be strictly pursued.

SECTION 183. In all cases where a remedy is provided, or duty enjoined, or anything directed to be done by any act or acts of assembly of this commonwealth, the directions of the said acts shall be strictly pursued; and no penalty shall be inflicted, or anything done agreeably to the provisions of the common law in such cases, further than shall be necessary for carrying such act or acts into effect.

Explanatory of general terms.

SECTION 184. That wherever anything is forbidden or directed by the provisions of this code, by using the general terms, any one, any person, the person, every person and such person, or the relative pronoun he, referring to such general term, the same prohibition or direction, if the contrary be not expressed,



is extended to more persons than one, and to females as well as males doing or omitting the same act.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 375.

## A N A C T

To Consolidate, Revise and Amend the Laws of this Commonwealth relating to Penal Proceedings and Pleadings.

### GENERAL SUMMARY.

#### TITLE I. *Of proceedings to detect the Commission of Crimes.*

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| <ol style="list-style-type: none"> <li>1. Writs of arrest, et cetera.</li> <li>2. Escapes into another county.</li> <li>3. Backing warrants.</li> <li>4. Indemnity of magistrate backing such warrants.</li> </ol> | <ol style="list-style-type: none"> <li>5. Of property supposed to be stolen found in the possession of one accused.</li> <li>6. Surety of the peace.</li> <li>7. Bail.</li> <li>8. Surrender of bail.</li> <li>9. Settlement of cases.</li> </ol> |
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#### TITLE II. *Of Indictments and Pleadings.*

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| <ol style="list-style-type: none"> <li>10. Grand jurors authorized to administer oaths.</li> <li>11. Formal objections to indictment to be made before the jury is sworn.</li> <li>12. Variances between written instruments, as produced and laid in the indictment, amendable.</li> <li>13. Immaterial variances between indictment and proof amendable.</li> <li>14. Manner of laying the ownership of property in cases of partners and joint owners.</li> <li>15. Manner of charging frauds against partners and joint owners.</li> <li>16. Manner of laying property of counties, cities, townships, et cetera.</li> <li>17. Forms of indictment in cases of forging, stealing and embezzling, or cheating by false pretences.</li> <li>18. Firms in other cases.</li> <li>19. Intent to defraud particular persons need not be alleged or proven in cases of forging, uttering or false pretences.</li> </ol> | <ol style="list-style-type: none"> <li>20. In indictments for murder and manslaughter, means by which the injury was inflicted need not be specified.</li> <li>21. What is requisite in an indictment for perjury.</li> <li>22. What is requisite in an indictment for subornation of perjury.</li> <li>23. Indictment for duelling.</li> <li>24. Counts for receiving and stealing may be joint.</li> <li>25. Issue in criminal cases, and trial thereof.</li> <li>26. Prisoners standing mute.</li> <li>27. Prosecutor's name to be endorsed on the indictment.</li> <li>28. Distinct acts of embezzlement may be charged in the same indictment.</li> <li>29. Nolle prosequi.</li> <li>30. Plea of autrefois convict or autrefois acquit.</li> </ol> |
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TITLE III. *Of Courts.*

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| 31 Of courts of oyer and terminer. | 33. Writs of error and certiorari. |
| 32 Quarter sessions.               |                                    |

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| 35. Persons indicted for treason to have a copy of the indictment.               | 49. Of proof of offences committed during journeys.   |
| 36. Peremptory challenges.   | 50. Party indicted for felony or misdemeanor may be found guilty of attempt to commit the same. |
| 37. Challenges by the commonwealth.  | 51. Persons tried for misdemeanor not to be acquitted if the offence turn out to be felony.     |
| 38. How challenges are to be conducted.  | 52. Witnesses entitled to restitution to be competent.  |
| 39. How challenges are to be determined.   | 53. Cure of defects in jury process by verdict.   |
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| 43. Of the place of trial of treason.  | 57. Bills of exceptions and writs of error allowed.   |
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| 45. Of the place of trial of accessories after the fact.                         | 59. Granting of writs regulated.  |
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| 69. Insane defendant to be delivered up to his friends or to the overseers, on security being given.         | 76. Executions in capital cases.  |
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TITLE I. *Of proceedings to detect the Commission of Crimes.*

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the judges of the supreme court, of the court of oyer and terminer and jail delivery, of the courts of quarter sessions, or

any of them, shall and may direct their writs and precepts to the sheriffs and coroners of the several counties within this commonwealth, when need shall be, to take persons indicted for felonies, or other offences, before them, who may dwell, remove, or be received into another county; and it shall and may be lawful to and for the said judges, or any of them, to issue subpœnas into any county of the commonwealth, for summoning and bringing any person to give evidence in any matter or cause before them, or any of them, and to compel obedience to such writs, precepts, or subpœnas, by attachment or otherwise, and under such pains and penalties as other writs or subpœnas are or ought by law to be granted and awarded; and that it shall be lawful for said judges, or any of them, if they see fit to direct such writ, precept, summons, subpœna or attachments, to be executed by the sheriff of the county in which the same is awarded, which said writ, precept, summons or subpœna, shall be the sufficient warrant of such sheriff for executing the same throughout this commonwealth, as fully and effectually as if directed to, and executed by the sheriff of the proper county where issued: *Provided*, That the reasonable ex- Proviso. penses of executing such process, when issued on behalf of the commonwealth, shall be paid out of the funds of the county where issued, and the expenses of removing any person charged with having committed an offence in one county into another county, or of transporting any person charged with having committed any offence in this state from another state into this state for trial, or for conveying any person, after conviction, to the penitentiary, shall be paid out of the treasury of the county where the offence is charged to have been committed.

SECTION 2. Where any person charged with having committed any felony, in any city or county of this commonwealth, shall go or escape into any other county thereof, it shall and may be lawful for the president, or any judge of the court of common pleas in the county where the said person may be found, to issue his warrant, authorizing and requiring the sheriff of the said county to take the said person and conduct him to the proper county, where the said felony is alleged to have been committed, the expenses of which shall be paid to the said sheriff by the county to which the said person is conducted. Escapes into another county.

SECTION 3. That in case any person against whom a warrant may be issued by any judge or alderman of any city, or justice of the peace of any county in this commonwealth, for any offence there committed, shall escape, go into, reside, or be in any other city or county out of the jurisdiction of the judge, alderman, justice or justices of the city or county granting such warrant as aforesaid, it shall and may be lawful for, and it is hereby declared to be the duty of any alderman, justice or justices of the city or county where such person shall escape, go into, reside, or be, upon proof being made, upon oath or affirmation, of the hand writing of the judge, alderman, justice or justices granting such warrant, to endorse his or their name or names on such warrant, which shall be sufficient authority to the person or persons bringing such warrant, and to all Backing warrants.

other persons to whom such warrant was originally directed, to execute the same in such other city or county, out of the jurisdiction of the alderman, justice or justices, granting such warrant as aforesaid, and to apprehend and carry such offender before the alderman, justice or justices who indorsed such warrant, or some other alderman, justice or justices of such other city and county where such warrant was indorsed; and in case the offence for which such offender shall be so apprehended, shall be bailable in law by an alderman or justice of the peace, and such offender shall be willing and ready to give bail for his appearance at the next court of general jail delivery or quarter sessions, to be held in and for the city and county where the offence was committed, such alderman, justice or justices shall and may take such bail for his appearance, in the same manner as the alderman or justice of the peace of the proper city or county might have done; and the said alderman, justice or justices of the peace of such other city or county so taking bail, shall deliver or transmit such recognizance and other proceeding to the clerk of the court of general jail delivery or quarter sessions, where such offender is required to appear by virtue of such recognizance, and such recognizance and other proceedings shall be as good and effectual in law as if the same had been entered into, taken or acknowledged in the proper county where the offence was committed, and the same proceedings shall be had therein; and in case the offence for which such offender shall be apprehended in any other city or county, shall not be bailable in law by an alderman or justice of the peace, or such offender shall not give bail for his appearance at the proper court having cognizance of his crime, to the satisfaction of the alderman or justice before whom he shall be brought, then the constable or other person so apprehending such offender, shall carry and convey him before one of the aldermen or justices of the peace of the proper city or county where such offence was committed, there to be dealt with according to law.

Indemnity of  
magistrate back-  
ing such war-  
rants.

SECTION 4. That no action of trespass, or false imprisonment, or information, or indictment, shall be brought, sued, commenced, exhibited or prosecuted by any person, against the alderman, justice or justices, who shall indorse such warrant, for or by reason of his or their indorsing the same, but such person shall be at liberty to bring or prosecute his or their action or suit against the alderman or justice who originally granted the warrant.

Property suppo-  
sed to be stolen  
found in the pos-  
session of one ac-  
cused.

SECTION 5. That when any person shall be accused before a magistrate, upon oath or affirmation, of the crime of burglary, robbery or larceny, and the said magistrate shall have issued his warrant to apprehend such person or persons, or to search for such goods as have been described, on oath or affirmation, to have been stolen goods, if any shall be found in the custody or possession of such person or persons, or in the custody or possession of any other person or persons, for his, her or their use, and there is probable cause, supported by oath or affirmation, to suspect that other goods, which may be discovered on such search, are stolen, it shall and may be lawful for the said magistrate to direct the said goods to be seized, and to secure

the same in his own custody, unless the person in whose possession the same were found shall give sufficient surety to produce the same at the time of his or her trial; and the said magistrate shall forthwith cause an inventory to be taken of the said goods, and shall file the same with the clerk of that court in which the accused person is intended to be prosecuted, and shall give public notice in the newspapers, or otherwise by advertising the same in three or more public places in the city or county where the offence is charged to have been committed, before the time of trial, noting in such advertisement the said inventory, the person charged and time of trial; and if, on such trial, the accused party shall be acquitted, and no other claimant shall appear or suit be commenced, then, at the expiration of three months, such goods shall be delivered to the party accused, and he, she or they shall be discharged, and the county be liable to the costs of prosecution; but if he be convicted of larceny only, and, after restitution made to the owner and the sentence of the court being fully complied with, shall claim a right in the residue of the said goods, and no other shall appear or claim the said goods, or any part of them, then it shall be lawful, notwithstanding the claim of the said party accused, to detain such goods for the term of nine months, to the end that all persons having any claim thereto may have full opportunity to come, and to the satisfaction of the court, prove their property in them; on which proof the said owner or owners, respectively, shall receive the said goods, or the value thereof, if from their perishable nature it shall have been found necessary to make sale thereof, upon paying the reasonable charges incurred by the securing the said goods and establishing their property in the same; but if no such claim shall be brought and duly supported, then the person so convicted shall be entitled to the remainder of the said goods, or the value thereof, in case the same shall have been sold agreeably to the original inventory; but if, upon an attainder of burglary or robbery, the court shall, after due inquiry, be of opinion that the said goods were not the property of such burglar or robber, they shall be delivered, together with a certified copy of the said inventory, to the commissioners of the county, who shall indorse a receipt therefor on the original inventory, register the said inventory in a book, and also cause the same to be publicly advertised, giving notice to all persons claiming the said goods to prove their property therein to the said commissioners; and unless such proof shall be made within three months from the date of such advertisement, the said goods shall be publicly sold, and the net moneys arising from such sale shall be paid into the county treasury for the use of the commonwealth: *Provided always*, That if any claimant shall appear within one year, and prove his or her property in the said goods to the satisfaction of the commissioners, or in the case of dispute, shall obtain the verdict of a jury in favor of such claim, the said claimant shall be entitled to recover, and receive from the said commissioners, or treasurer, the net amount of the moneys paid as aforesaid into the hands of the said commissioners, or by them paid into the treasury of this commonwealth.

Proviso.

Surety of the  
peace.

SECTION 6. If any person shall threaten the person of another to wound, kill or destroy him, or do him any harm in person or estate, and the person threatened shall appear before a justice of the peace, and attest, on oath or affirmation, that he believes that by such threatening he is in danger of being hurt in body or estate, such person so threatening as aforesaid, shall be bound over, with one sufficient surety, to appear at the next sessions, according to law, and in the meantime to be of his good behaviour, and keep the peace towards all citizens of this commonwealth. If any person, not being an officer on duty in the military or naval service of the state or of the United States, shall go armed with a dirk, dagger, sword or pistol, or other offensive or dangerous weapon, without reasonable cause to fear an assault or other injury or violence to his family, person or property, he may, on complaint of any person having reasonable cause to fear a breach of the peace therefrom, be required to find surety of the peace as aforesaid.

Bail.

SECTION 7. In all cases the party accused, on oath or affirmation, of any crime or misdemeanor against the laws, shall be admitted to bail by one or more sufficient sureties, to be taken before any judge, justice, mayor, recorder or alderman where the offence charged has been committed, except such persons as are precluded from being bailed by the constitution of this commonwealth: *Provided also*, That persons accused, as aforesaid, of murder or manslaughter, shall only be admitted to bail by the supreme court or one of the judges thereof, or a president or associate law judge of a court of common pleas. Persons accused, as aforesaid, of arson, rape, mayhem, sodomy, buggery, robbery or burglary, shall only be bailable by the supreme court, the court of common pleas, or any of the judges thereof, or a mayor or recorder of a city.

Surrender of bail

SECTION 8. All sureties, mainpernors, and bail in criminal cases, whether bound in recognizance for a particular matter or for all charges whatsoever, shall be entitled to have a bail piece, duly certified by the proper officer or person before whom or in whose office the recognizance of such surety, mainpernors or bail shall be or remain, and upon such bail piece, by themselves, or their agents, to arrest and detain, and surrender their principals, with the like effect as in cases of bail in civil actions; and such bail piece shall be a sufficient warrant or authority for the proper sheriff or jailor to receive the said principal, and have him forthcoming to answer the matter or matters alleged against him: *Provided*, That nothing herein contained shall prevent the person thus arrested and detained from giving new bail or sureties for his appearance, who shall have the same right of surrender hereinbefore provided.

Proviso.

Settlement of  
cases.

SECTION 9. In all cases where a person shall, on the complaint of another, be bound by recognizance to appear, or shall, for want of security, be committed, or shall be indicted for an assault and battery or other misdemeanor, to the injury and damage of the party complaining, and not charged to have been done with intent to commit a felony, or not being an infamous crime, and for which there shall also be a remedy, by action, if the party complaining shall appear before the magistrate who may have taken recognizance or made the commitment, or be-



fore the court in which the indictment shall be, and acknowledge to have received satisfaction for such injury and damage, it shall be lawful for the magistrate, in his discretion, to discharge the recognizance which may have been taken for the appearance of the defendant, or in case of committal, to discharge the prisoner, or for the court also where such proceeding has been returned to the court, in their discretion, to order a *nolle prosequi* to be entered on the indictment, as the case may require, upon payment of costs: *Provided*, That this act shall not extend to any assault and battery, or other misdemeanor, committed by or on any officer or minister of justice. Proviso.

## TITLE II. *Of Indictments and Pleadings.*

SECTION 10. The foreman of any grand jury, or any member thereof, is hereby authorized and empowered to administer the requisite oaths or affirmations to any witness whose name may be marked by the district attorney on the bill of indictment. Grand jurors may administer oaths.

SECTION 11. Every indictment shall be deemed and adjudged sufficient and good in law which charges the crime substantially in the language of the act of the assembly prohibiting the crime, and prescribing the punishment, if any such there be, or if at common law, so plainly that the nature of the offence charged may be easily understood by the jury. Every objection to any indictment for any formal defect, apparent on the face thereof, shall be taken by demurrer, or on motion to quash such indictment, before the jury shall be sworn, and not afterward; and every court, before whom any such objection shall be taken for any formal defect, may, if it be thought necessary, cause the indictment to be forthwith amended in such particular, by the clerk or other officer of the court, and thereupon the trial shall proceed as if no such defect appeared. Objections to indictment to be made before the jury is sworn.

SECTION 12. It shall be lawful for any court of criminal jurisdiction, if such court shall see fit so to do, to cause the indictment for any offence whatever, when any variance or variances shall appear between any matter in writing or in print, produced in evidence, and the recital or setting forth thereof in the indictment whereon the trial is pending, to be forthwith amended in such particular or particulars, by some officer of the court, and after such amendment the trial shall proceed in the same manner, in all respects, as if no such variance or variances had appeared. Indictments may be amended.

SECTION 13. If, on the trial of any indictment for felony or misdemeanor, there shall appear to be any variance between the statement of such indictment and the evidence offered in proof thereof, in the name of any place mentioned or described in any such indictment, or in the name or description of any person or persons or body politic or corporation therein stated, or alleged to be the owner or owners of any property, real or personal, which shall form the subject of any offence charged therein, or the name or description of any person or persons, body politic or corporate therein stated or alleged to be injured or damaged, or intended to be injured or damaged, by the commission of such offence, or in the christian name or surname, or both christian and surname, or other description whatsoever of any person or Immaterial variances between indictment and proof amendable.

persons whomsoever therein named or described, or in the name or description of any matter or thing whatsoever therein named or described, or in the ownership of any property named or described therein, it shall and may be lawful for the court before whom the trial shall be had, if it shall consider such variance not material to the merits of the case, and that the defendant cannot be prejudiced thereby in his defence upon such merits, to order such indictment to be amended, according to the proof, by some officer of the court, both in that part of the indictment wherein said variance occurs, and in every other part of the indictment in which it may become necessary to amend; and after such amendment, the trial shall proceed in the same manner, in all respects, and with the same consequences, as if no variance had occurred. And every verdict and judgment which shall be given after making such amendment, shall be of the same force and effect, in all respects, as if the indictment had originally been in the same form in which it was after such amendment was made.

Manner of laying  
the ownership of  
property of joint  
owners.

SECTION 14. That in order to remove the difficulty of describing the ownership of property, in the case of partners and joint owners, in any indictment for any felony or misdemeanor committed on or with respect to any money, chattels, bond, bill, note or other valuable security or effects belonging to or in the possession of any partners or joint owners, it shall be sufficient to aver that the particular subject matter on which, or with respect to which, any such offence shall have been committed, to be the property of some one or more of the partners or joint owners named in the indictment, and of other persons being partners or joint owners with him or them, without stating any of the names of such other persons; and that in any indictment for any felony or misdemeanor, committed on or with respect to any house or building whatsoever, belonging to or in the possession of any partners or joint owners; or for any felony or misdemeanor committed on or with respect to any property being in any such house or building, it shall be sufficient to aver that the particular house or building on or with respect to which, or on or with respect to the property being in which any such offence shall have been committed, is the property of some one or more of the partners or joint owners named in the indictment, and of other persons being partners or joint owners with him or them, without stating any of the names of such other persons.

Manner of charging  
frauds  
against joint  
owners.

SECTION 15. With regard to frauds committed against partners and joint owners, it shall be sufficient in any indictment for any felony or misdemeanor committed with intent to defraud any partners or joint owners, to allege that the act was committed with intent to defraud any one or more of the partners or joint owners named in the indictment, and other persons being partners or joint owners with him or them, without stating any of the names of such other persons.

Manner of laying  
property of coun-  
ties, cities and  
townships.

SECTION 16. With respect to property belonging to counties, cities, townships and districts, it shall be sufficient in any indictment for any felony or misdemeanor committed on or with respect to any goods, chattels, furniture, provisions, clothes, tools, utensils, materials or things whatsoever, which have been, or at any

time shall be, provided for or at the expense of any county, city, township or district, to be used in any court, jail, house of correction, alms-house, or other building or place, or in any part thereof respectively, or to be used for the making, altering or repairing of any bridge or road, to aver that any such things are the property of such county, city, township or district.

SECTION 17. In any indictment for forgery, uttering, stealing, embezzling, destroying or concealing, or obtaining by false pretences, any instrument, it shall be sufficient to describe such instrument by any name or designation by which the same may be usually known, or by the purport thereof, without setting out any copy or fac-simile thereof, or otherwise describing the same or the value thereof.

Forms of indictment in cases of forging, stealing, &c.

SECTION 18. In all other cases whatsoever in which it shall be necessary to make any averment in any indictment, as to any instrument, whether the same consists wholly or in part of writing, print or figures, it shall be sufficient to describe such instrument by any name or designation by which the same may be usually known, or by the purport thereof, and in such manner as to sufficiently identify such instrument, without setting out any copy or fac-simile of the whole or any part thereof.

Forms in other cases.

SECTION 19. It shall be sufficient in any indictment for forging, uttering, offering, disposing of, or putting off any instrument whatsoever, or for obtaining or attempting to obtain any property by false pretences, to allege that the defendant did the act, with intent to defraud, without alleging the intent of the defendant to be to defraud any particular person; and on the trial of any of the offences in this section mentioned, it shall not be necessary to prove any intent on the part of the defendant to defraud any particular person, but it shall be sufficient to prove that the defendant did the act charged with an intent to defraud.

Intent to defraud particular persons.

SECTION 20. In any indictment for murder or manslaughter, it shall not be necessary to set forth the manner in which, or the means by which the death of the deceased was caused, but it shall be sufficient in every indictment for murder, to charge that the defendant did feloniously, wilfully, and of his malice aforethought, kill and murder the deceased; and it shall be sufficient, in every indictment for manslaughter, to charge that the defendant did feloniously kill and slay the deceased.

Indictments for murder and manslaughter.

SECTION 21. In every indictment for wilful and corrupt perjury, it shall be sufficient to set forth the substance of the offence charged, and in what court, or before whom the oath or affirmation was taken, averring such court or person or body to have competent authority to administer the same, together with the proper averment, to falsify the matter wherein the perjury is assigned, without setting forth the information, indictment, declaration or part of any record or proceeding, other than as aforesaid, and without setting forth the commission or authority of the court, or person, or body before whom the perjury was committed.

What is requisite in indictment for perjury.

SECTION 22. In every indictment for subornation of perjury, or for corrupt bargaining, or contracting with others to commit wilful and corrupt perjury, it shall be sufficient to set forth the substance of the offence, without setting forth the information,

In indictment for subornation of perjury.

indictment, declaration or part of any record or proceedings, and without setting forth the commission or authority of the court, or person or body before whom the perjury was committed, or was agreed or promised to be committed.

Indictment for duelling.

SECTION 23. In cases arising under the laws of this commonwealth for the restraint of the horrid practice of duelling, it shall be sufficient to form an indictment generally, against either of the principals for challenging another to fight at deadly weapons, and notwithstanding it may appear on the trial that the defendant only accepted the challenge, it shall be sufficient to convict and render him liable to the penalties of the law; and in like manner an indictment against the seconds may be framed generally, for carrying and delivering a challenge, and proof of the mere act of fighting, and the defendant being present thereat, shall be sufficient to convict the defendant upon an indictment so framed; and if the duel shall take place within this commonwealth, the mere fact of fighting shall be full and complete evidence of the charges, respectively, of giving or receiving, or of carrying or delivering a challenge, without other proof thereof.

Counts for stealing and receiving, may be joint.

SECTION 24. In every indictment for feloniously stealing property, it shall be lawful to add a count for feloniously receiving the said property, knowing it to have been stolen; and in any indictment for feloniously receiving property, knowing it to have been stolen, it shall be lawful to add a count for feloniously stealing said property; and it shall be lawful for the jury trying the same, to find a verdict of guilty either of stealing the property, or of receiving the same, knowing it to have been stolen; and if such indictment shall have been preferred and found against two or more persons, it shall be lawful for the jury who shall try the same, to find all or any of the said persons guilty of either stealing the property or of receiving it, knowing it to have been stolen, or to find one or more of the said persons guilty of stealing the property, and the other or others of them guilty of receiving it, knowing it to have been stolen.

Issue in criminal cases, and trial thereof.

SECTION 25. In all cases of felony the prisoner shall be arraigned, and where any person on being so arraigned shall plead not guilty, every such person shall be deemed and taken to put himself upon the inquest or country for trial, without any question being asked of him how he will be tried, and the inquest shall be charged only to inquire whether he be guilty or not guilty of the crime charged against him, and no more. And that wherever a person shall be indicted for treason or felony, the jury empanelled to try such person shall not be charged to inquire concerning his lands, tenements or goods, nor whether he fled for such treason or felony.

Prisoners standing mute.

SECTION 26. If any prisoner shall, upon his arraignment for any offence with which he is indicted, stand mute, or not answer directly, or shall peremptorily challenge above the number of persons summoned as jurors for his trial to which he is by law entitled, the plea of not guilty shall be entered for him on the record, the supernumerary challenges shall be disregarded, and the trial shall proceed in the same manner as if he had pleaded not guilty, and for his trial had put himself upon the country.

SECTION 27. No person shall be required to answer to any indictment for any offence whatsoever, unless the prosecutor's name, if any there be, is endorsed thereon, and if no person shall avow himself the prosecutor, the court may hear witnesses, and determine whether there is such a private prosecutor, and if they shall be of opinion that there is such a prosecutor, then direct his name to be endorsed on such indictment.

Prosecutor's name to be endorsed on indictment.

SECTION 28. It shall be lawful in cases of embezzlement by clerks, servants or other persons in the employ of another, to charge in the indictment, and proceed against an offender for any distinct acts of embezzlement, not exceeding three, which may have been committed by him against the same master or employer, within the space of six calendar months, from the first to the last of such acts, and in every such indictment, except where the offence shall relate to a chattel, it shall be sufficient to allege the embezzlement to be of money, without specifying any particular coin or valuable security; and such allegation, so far as regards the description of the property, shall be sustained, if the offender shall be proved to have embezzled any amount, although the particular species of coin or valuable security of which such amount was composed, shall not be proved, or if he shall be proved to have embezzled any piece of coin or valuable security, or any portion of the value thereof, although such piece of coin or valuable security may have been delivered to him in order that some part of the value thereof should be returned to the party delivering the same, and such part shall have been returned accordingly.

Distinct acts of embezzlement may be charged in same indictment.

SECTION 29. No district attorney shall, in any criminal case whatsoever, enter a *nolle prosequi*, either before or after bill found, without the assent of the proper court in writing first had and obtained.

Nolle prosequi.

SECTION 30. In any plea of *autrefois acquit*, or *autrefois convict*, it shall be sufficient for any defendant to state, that he has been lawfully convicted, or acquitted, as the case may be, of the offence charged in the indictment.

Plea of *autrefois convict*, or *autrefois acquit*.

### TITLE III. Of Courts.

SECTION 31. The courts of oyer and terminer and general jail delivery shall have power—

Of courts of oyer and terminer.

I. To inquire by the oaths and affirmations of good and lawful men of the county, of all crimes committed, or triable in such county.

II. To hear, determine and punish the same, and to deliver the jails of such county of all prisoners therein, according to law.

III. To try indictments found in the quarter sessions, and certified by the said court according to law; and the said courts shall have exclusive jurisdiction and power to try and punish all persons charged with any of the crimes herein enumerated, which shall be committed within the respective county, to wit:

1. All persons charged with any murder or manslaughter, or other homicide, and all persons charged with being accessory to any such crime.

2. All persons charged with treason against the commonwealth.



3. All persons charged with sodomy, buggery, rape or robbery, their counsellors, aiders and abettors.

4. All persons charged with the crime of voluntarily and maliciously burning any building, or other thing, made punishable in the same manner as arson.

5. All persons charged with mayhem, or with the crime of cutting off the tongue, putting out the eye, slitting the nose, cutting off the nose, cutting off a lip, cutting off or disabling any limb or member of a person, by lying in wait, or with malice aforethought, and with intent in so doing to maim or disfigure such person, and their aiders and abettors and counsellors.

6. All persons charged with burglary.

7. Every woman who shall be charged with having endeavored privately, either by herself or the procurement of others, to conceal the death of any issue of her body, male or female, which, if it were born alive, would be by law a bastard, so that it may not be known whether such issue was born dead or alive, or whether it was murdered or not.

8. All persons charged with the second or any subsequent offence of receiving, harboring or concealing any robber, burglar, felon or thief, or with the crime of receiving or buying any goods or chattels, which shall have been feloniously taken or stolen, knowing the same to be so taken or stolen.

Quarter sessions.

SECTION 32. The courts of quarter sessions of the peace shall have jurisdiction and power within the respective counties—

I. To inquire, by the oaths or affirmations of good and lawful men of the county, of all crimes, misdemeanors and offences whatsoever, against the laws of this commonwealth, which shall be triable in the respective county.

II. To inquire of, hear, determine and punish, in due form of law, all such crimes and misdemeanors and offences, whereof exclusive jurisdiction is not given, as aforesaid, to the courts of oyer and terminer of such county.

III. To take, in the name of the commonwealth, all manner of recognizances and obligations heretofore taken and allowed to be taken by any justice of the peace; and they shall certify such as shall be taken, in relation to any crime not triable therein, to the next court of oyer and terminer having power to take cognizance thereof.

IV. To continue, or discharge the recognizance and obligations of persons bound to keep the peace, or to be of good behaviour, taken as aforesaid, or certified into such court by any justice of the peace of such county, and to inquire of, hear and determine, in the manner hitherto practiced and allowed, all complaints which shall be found thereon.

V. The courts of quarter sessions shall also have jurisdiction in cases of fines, penalties or punishments, imposed by any act of assembly, for offences, misdemeanors or delinquencies, except where it shall be otherwise expressly provided and enacted.

VI. The said courts shall also have and exercise such other jurisdiction and powers, not herein enumerated, as may have been heretofore given to them by law.

Whenever any indictment shall be found in any court of quarter sessions, for any crime or offence not triable therein, it shall be the duty of said court to certify the same into the court of



oyer and terminer next to be holden in such county, there to be heard and determined in due course of law.

The judges of the county courts of oyer and terminer and quarter sessions, and every of them, shall have power to direct their writs or precepts to all or any of the sheriffs or other officers of any of the counties, cities, boroughs or towns corporate of this commonwealth, to arrest and bring before them persons indicted for felonies and other offences, and amenable to the respective court; each of said courts shall have power to award process to levy and recover such fines, forfeitures and amercements, as shall be imposed, taxed or adjudged by them respectively; each of the said courts shall have full power and authority to establish such rules for regulating the practice thereof respectively, and for expediting the determination of suits, causes and proceedings therein, as in their discretion they shall judge necessary or proper: *Provided*, That such rules shall not be inconsistent with the constitution and laws of this commonwealth; each of the said courts is empowered to issue writs of subpœna, under their official seal, into any county of this commonwealth, to summon and bring before the respective court any person to give testimony in any cause or matter depending before them, under the penalties hitherto appointed and allowed, in any such case, by the laws of this commonwealth.

SECTION 33. Every person indicted in any court of quarter sessions, or in any county court of oyer and terminer and general jail delivery, may remove the indictment, and all proceedings thereon, or a transcript thereof, into the supreme court by a writ of certiorari, or a writ of error, as the case may require: *Provided*, That no such writ of certiorari, or writ of error shall issue, or be available, to remove the said indictment and proceeding thereupon, or a transcript thereof, or to stay execution of the judgment thereupon rendered, unless the same shall be specially allowed by the supreme court, or one of the justices thereof, upon sufficient cause to it or him shown, or shall have been sued out, with the consent of the attorney general; which special allowance or consent shall be in writing, and certified on the said writ.

#### TITLE IV. *Of the Trial.*

SECTION 34. No person who may hereafter be arraigned on any indictment, and who shall be bound by recognizance to appear and abide by the judgment of the court, shall be placed within the prisoner's bar to plead to such indictment, or be confined therein during his trial; and all persons shall have an opportunity of a full and free communication with their counsel.

SECTION 35. Every person indicted for treason shall have a copy of the indictment and a list of the jury and the witnesses to be produced on the trial for proving such indictment, mentioning the names and places of abode of such jurors and witnesses, delivered to him three whole days before the trial.

SECTION 36. On the trial of any indictment for treason or misprision of treason, murder, manslaughter, concealing the death of a bastard child, rape, robbery, burglary, sodomy, malicious maiming and arson, the accused shall be at liberty to challenge, peremptorily, twenty of the jurors, and on the trial of all other

indictments the accused shall be at liberty to challenge, peremptorily, four of the jurors.

Challenges by  
the common-  
wealth.

SECTION 37. The commonwealth shall have the right, in all cases, to challenge, peremptorily, four persons, and every peremptory challenge beyond the number allowed by law in any of the said cases, shall be entirely void, and the trial of such person shall proceed as if no such challenge had been made.

How challenges  
are to be con-  
ducted

SECTION 38. All challenges in criminal proceedings shall be conducted as follows, to wit: The commonwealth shall challenge one person, and then the defendant shall challenge one person, and so alternately, until all the challenges shall be made; but if the commonwealth shall refuse to make any challenge, the defendant shall, nevertheless, have the right to challenge the full number allowed him by law.

How to be deter-  
mined.

SECTION 39. When a challenge for a cause assigned shall be made in any criminal proceeding, the truth of such cause shall be inquired of and determined by the court.

Persons jointly  
indicted, and  
joint challenges.

SECTION 40. In all cases in which two or more persons are jointly indicted for any offence, it shall be in the discretion of the court to try them jointly or severally, except that in cases of felonious homicide, the parties charged shall have the right to demand separate trials; and in all cases of joint trials, the accused shall have the right to the same number of peremptory challenges to which either would be entitled if separately tried, and no more.

How tales award-  
ed and juries  
summoned.

SECTION 41. All courts of criminal jurisdiction of this commonwealth shall be and are hereby authorized and required, when occasion shall render the same necessary, to order a *tales de circumstandibus*, either for the grand or petit jury, and all talesmen shall be liable to the same challenges, fines and penalties as the principal jurors: *Provided*, That nothing herein contained shall repeal or alter the provisions of an act passed the twentieth day of April, one thousand eight hundred and fifty-eight, entitled "An Act establishing a mode of drawing and selecting jurors in and for the city and county of Philadelphia."

Proviso.

Of jury de medio-  
tate lingue.

SECTION 42. No alien shall, in any criminal case whatsoever, be entitled to a jury *de medietate lingue*, or partly of strangers.

Place of trial of  
treason.

SECTION 43. The trial of all treason against the commonwealth, committed out of the jurisdiction of the state, shall be in the county where the offender is apprehended, or into which he shall first be brought.

Of accessories be-  
fore the fact.

SECTION 44. If any person shall become an accessory before the fact, to any felony, whether the same be a felony at common law, or by virtue of any act of assembly now in force or hereafter to be in force, such person may be indicted, tried, convicted and punished in all respects as if he were a principal felon.

Of accessories  
after the fact.

SECTION 45. If any person shall become an accessory after the fact, to any felony, whether the same be a felony at common law, or by virtue of any act of assembly now in force, or that may be hereafter in force, he may be indicted and convicted as an accessory after the fact, to the principal felony, together with the principal felon, or after the conviction of the principal felon, or may be indicted and convicted of a substantive felony, whether the principal felon shall or shall not have been previously convicted, or shall or shall not be amenable to justice,

and may thereupon be punished in like manner as any accessory after the fact to the same felony, if convicted as an accessory, may be punished; and the offence of such person, howsoever indicted, may be inquired of, tried, determined and punished, by any court which shall have jurisdiction to try the principal felon, in the same manner as if the act by reason of which such person shall have become accessory, had been committed at the same place as the principal felony: *Provided always*, That no person who shall be once duly tried for any such offence, whether as an accessory after the fact, or as for a substantive felony, shall be liable to be again indicted or tried for the same offence.

Proviso.

SECTION 46. If any person hereafter shall be feloniously stricken, poisoned, or receive other cause of death in one county, and die of the same stroke, poisoning or other cause of death in another county, then an indictment found therefor by jurors of the county where the death shall happen, shall be as good and effectual in law, as well against the principal in such murder as against the accessory thereto, as if the stroke, poisoning or other cause of death had been given, done or committed in the same county where such indictment shall be found; and the proper courts having jurisdiction of the offence shall proceed upon the same as they might or could do in case such felonious stroke, poisoning or other cause of death, and the death itself thereby ensuing, had been committed and happened all in one and the same county.

Poisoning in one county and death in another.

SECTION 47. If any person shall be feloniously stricken, poisoned, or receive other cause of death within the jurisdiction of this state, and shall die of such stroke, poisoning or other cause of death at any place out of the jurisdiction of this state, an indictment therefor found by the jurors of the county in which such stroke, poisoning or other cause of death shall happen as aforesaid, shall be as good and effectual, as well against the principal in any such murder, as against the accessory thereto, as if such felonious stroke, poisoning or other cause of death, and the death thereby ensuing, and the offence of such accessory, had happened in the same county where such indictment shall be found; and the courts having jurisdiction of the offence shall proceed upon the same, as well against principal as accessory, as they could in case such felonious stroke, poisoning or other cause of death, and the death thereby ensuing, and the offence of such accessory, had both happened in the same county where such indictment shall be found.

Poisoning in the state and death out of the state.

SECTION 48. That in order to obviate the difficulty of proof as to all offences committed near the boundaries of counties, in any indictment for felony or misdemeanor committed on the boundary or boundaries of two or more counties, or within the distance of five hundred yards of any such boundary or boundaries, it shall be sufficient to allege that such felony or misdemeanor was committed in any of the said counties; and every such felony or misdemeanor shall and may be inquired of, tried, determined and punished in the county within which the same shall be so alleged to have been committed, in the same manner as if it had been actually committed therein.

Of proof of offences committed near county lines.

SECTION 49. That in order to obviate the difficulty of proof as to offences committed during journeys from place to place, journeys.

Of offences committed during journeys.

in any indictment for felony or misdemeanor committed on any person or on any property, upon any stage coach, stage, wagon, railway car, or other such carriage whatever employed in any journey, it shall be sufficient to allege that such felony or misdemeanor was committed within any county or place through any part whereof such coach, wagon, cart, car or other carriage shall have passed in the course of the journey during which such felony or misdemeanor shall have been committed; and in all cases where the centre or other part of any highway shall constitute the boundaries of any two counties, it shall be sufficient to allege that the felony or misdemeanor was committed in either of the said counties through, or adjoining to, or by the boundaries of any part whereof such coach, wagon, cart, car, or other carriage shall have passed in the course of the journey during which such felony or misdemeanor shall have been committed; and in any indictment for any felony or misdemeanor, committed on any person or on any property on board any vessel whatsoever, employed in any voyage or journey on any navigable river, canal or inland navigation, it shall be sufficient to allege that such felony or misdemeanor was committed in any county or place through any part whereof such vessel shall have passed in the course of the voyage or journey during which such felony or misdemeanor shall have been committed; and in all cases where the side or bank of any navigable river or creek, canal or inland navigation, or the centre or other part thereof, shall constitute the boundary of any two counties, it shall be sufficient to allege that such felony or misdemeanor was committed in either of the said counties through, or adjoining to, or by the boundary of any part thereof, such vessel shall have passed in the course of the voyage or journey during which such felony or misdemeanor shall have been committed; and every such felony or misdemeanor committed in any of the cases aforesaid, shall and may be inquired of, tried, determined and punished in the county or place within which the same shall be so alleged to have been committed, in the same manner as if it had actually been committed therein.

Party indicted for felony or misdemeanor may be found guilty of attempt to commit the same.

SECTION 50. If on the trial of any person charged with any felony or misdemeanor, it shall appear to the jury upon the evidence, that the defendant did not complete the offence charged, but was guilty only of an attempt to commit the same, such person shall not by reason thereof be entitled to be acquitted, but the jury shall be at liberty to return, as their verdict, that the defendant is not guilty of the felony or misdemeanor charged, but is guilty of an attempt to commit the same; and thereupon such person shall be liable to be punished in the same manner as if he had been convicted upon an indictment for attempting to commit the particular felony or misdemeanor charged in the indictment, and no person so tried as herein lastly mentioned, shall be liable to be afterward prosecuted for an attempt to commit the felony or misdemeanor for which he was so tried.

Persons tried for misdemeanor not to be acquitted if the offence turn out to be felony.

SECTION 51. If upon the trial of any person for any misdemeanor, it shall appear that the facts given in evidence amount in law to a felony, such person shall not by reason thereof be entitled to be acquitted of such misdemeanor; and no person

tried for such misdemeanor shall be liable to be afterwards prosecuted for felony on the same facts, unless the court before whom such trial may be had shall think fit, in its discretion, to discharge the jury from giving any verdict upon such trial, and direct such person to be indicted for felony, in which case such person may be dealt with in all respects as if he had not been put upon his trial for such misdemeanor.

SECTION 52. No person shall be deemed and adjudged an incompetent witness on the trial of any indictment, for or by reason of such person being entitled, in the event of the conviction of the defendant, to a restitution of his property feloniously taken, or the value thereof, or if fraudulently obtained, to a pecuniary remuneration or compensation therefor, or for or by reason of such witness being liable and subject to the payment of the costs of prosecution.

Witnesses entitled to restitution to be competent.

SECTION 53. No verdict in any criminal court shall be set aside, nor shall any judgment be arrested or reversed, nor sentence delayed, for any defect or error in the precept issued from any court, or in the venire issued for the summoning and returning of jurors, or for any defect or error in drawing, summoning or returning any juror, or panel of jurors, but a trial, or an agreement to try on the merits, or pleading guilty, or the general issue in any case, shall be a waiver of all errors and defects in, or relative or appertaining to the said precept, venire, drawing, summoning and returning of jurors.

Cure of defects in jury process by verdict.

SECTION 54. If any person shall be committed for treason or felony, or other indictable offence, and shall not be indicted and tried some time in the next term, session of oyer and terminer, general jail delivery, or other court where the offence is properly cognizable, after such commitment, it shall and may be lawful for the judges or justices thereof, and they are hereby required on the last day of the term, sessions or court, to set at liberty the said prisoner upon bail, unless it shall appear to them, upon oath or affirmation, that the witnesses for the commonwealth, mentioning their names, could not then be produced; and if such prisoner shall not be indicted and tried the second term, session or court after his or her commitment, unless the delay happen on the application or with the assent of the defendant, or upon trial he shall be acquitted, he shall be discharged from imprisonment: *Provided always*, That nothing in this act shall extend to discharge out of prison, any person guilty of, or charged with treason, felony, or other high misdemeanor in any other state, and who by the constitution of the United States ought to be delivered up to the executive power of such state, nor any person guilty of, or charged with a breach or violation of the laws of nations.

Of the trial of prisoners committed.

SECTION 55. Upon the trial of any indictment for making or passing, and uttering, any false, forged or counterfeited coin, or bank note, the court may receive in evidence, to establish either the genuineness or falsity of such coin or note, the oaths or affirmations of witnesses who may, by experience and habit, have become expert in judging of the genuineness, or otherwise, of such coin or paper, and such testimony may be submitted to the jury without first requiring proof of the hand-writing or the other tests of genuineness, as the case may be, which have been

Witnesses in forgeries.



heretofore required by law; and in prosecutions for either of the offences mentioned or described in the one hundred and sixty-fourth, one hundred and sixty-fifth, one hundred and sixty-sixth and one hundred and sixty-seventh sections of the act to consolidate, revise and amend the penal laws of this commonwealth, the courts shall not require the commonwealth to produce the charter of either of said banks, but the jury may find that fact upon other evidence, under the direction of the court.

Witnesses not to be imprisoned except in certain cases.

Proviso.

SECTION 56. No witness in any case who enters his or her recognizance, in such sum as the magistrate may demand, to appear and testify in such prosecutions as require his testimony, shall be committed to prison by the judge, alderman or magistrate before whom any criminal charge may be preferred: *Provided however*, That in all cases triable in the oyer and terminer, where a positive oath is made, reduced to writing and signed by the deponent, setting forth sufficient reasons or facts to induce the firm belief on the part of the judge, magistrate or alderman, that any witness will abscond, elope or refuse to appear upon the trial, that then and in such case the judge, magistrate or alderman may exact bail of said witness to testify.

Bills of exception and writs of error allowed.

SECTION 57. Upon the trial of any indictment for murder, or voluntary manslaughter, it shall and may be lawful for the defendant or defendants to except to any decision of the court upon any point of evidence or law, which exception shall be noted by the court, and filed of record as in civil cases, and a writ of error to the supreme court may be taken by the defendant or defendants, after conviction and sentence.

Written opinions to be filed.

SECTION 58. If during the trial upon any indictment for murder, or voluntary manslaughter, the court shall be required by the defendant or defendants to give an opinion upon any point submitted and stated in writing, it shall be the duty of the court to answer the same fully, and file the point and answer with the records of the case.

Granting of writs regulated.

SECTION 59. No such writ shall be allowed, unless special application be made therefor, and cause shown within thirty days after sentence pronounced; and if the supreme court be sitting in banc in any district, the application shall be made, and cause shown there; if the said court be not sitting, application may be made to, and cause shown before one of the judges of that court, and upon the allowance of such writ, the said court or judge shall fix a time and place for hearing the said case, which time shall not be more than thirty days thereafter; if the said court shall be at that time sitting in banc in any district of the state, the said court or judge, upon the allowance of any such writ, shall make all such proper orders, touching notice to the commonwealth, and paper books, as may be considered necessary.

When a writ of error to issue.

SECTION 60. The writ of error shall issue from the prothonotary's office of the proper district, and all orders, decrees and judgments in the case shall also be entered of record there; but the application and final hearing may be made and had before the said supreme court while sitting in any other district.

Affirmance or reversal of judgment.

SECTION 61. Upon the affirmance of the supreme court of the judgment in any case, the same shall be enforced pursuant to the directions of the judgment so affirmed, and the said court



may make any further order requisite for carrying the same into effect ; and if the supreme court shall reverse any judgment, they shall remand the record, with their opinion, setting forth the causes of reversal, to the proper court for further proceeding.

### TITLE V. *Of Costs.*

SECTION 62. In all prosecutions, cases of felony excepted, if the bill of indictment shall be returned ignoramus, the grand jury returning the same shall decide and certify on such bill whether the county or the prosecutor shall pay the costs of prosecution ; and in all cases of acquittals by the petit jury on indictments for the offences aforesaid, the jury trying the same shall determine, by their verdict, whether the county, or the prosecutor, or the defendant, shall pay the costs, or whether the same shall be apportioned between the prosecutor and the defendant, and in what proportions ; and the jury, grand or petit, so determining, in case they direct the prosecutor to pay the costs or any portion thereof, shall name him in their return or verdict ; and whenever the jury shall determine as aforesaid, that the prosecutor or defendant shall pay the costs, the court in which the said determination shall be made shall forthwith pass sentence to that effect, and order him to be committed to the jail of the county until the costs are paid, unless he give security to pay the same within ten days.

Power of jurors  
over costs.

SECTION 63. That in all prosecutions where the petit jury trying the same shall acquit the defendant, and shall determine, by the verdict, that the prosecutor shall pay the costs, the defendant's bill for his subpoenas, serving the same, and attendance of his material and necessary witnesses, shall be included in the costs and paid accordingly.

Of the defend-  
ant's costs.

SECTION 64. That the costs of prosecution accruing on all bills of indictments charging a party with felony, returned ignoramus by the grand jury, shall be paid by the county ; and that the costs of prosecution accruing on bills of indictment charging a party with felony, shall, if such party be acquitted by the petit jury on the traverse of the same, be paid by the county ; and in all cases of conviction of any crime, all costs shall be paid by the party convicted ; but where such party shall have been discharged, according to law, without payment of costs, the costs of prosecution shall be paid by the county ; and in cases of surety of the peace, the costs shall be paid by the prosecutor or the defendant, or jointly between them, or the county, as the court may direct.

Of payment of  
costs generally.

SECTION 65. In all cases where two or more persons have committed an indictable offence, the names of all concerned (if a prosecution shall be commenced) shall be contained in one bill of indictment, for which no more costs shall be allowed than if the name of one person only was contained therein.

Joint offenders,  
relative to costs.

### TITLE VI. *General Provisions.*

SECTION 66. In every case in which it shall be given in evidence upon the trial of any person charged with any crime or misdemeanor, that such person was insane at the time of the

Insane prisoners,  
relative to.

commission of such offence, and he shall be acquitted, the jury shall be required to find specially whether such person was insane at the time of the commission of such offence, and to declare whether he was acquitted by them on the ground of such insanity; and if they shall so find and declare, the court before whom the trial is had shall have power to order him to be kept in strict custody, in such place and in such manner as to the said court shall seem fit, at the expense of the county in which the trial is had, so long as such person shall continue to be of unsound mind.

Where defendant is found insane upon arraignment.

SECTION 67. The same proceedings may be had if any person indicted for an offence shall, upon arraignment, be found to be a lunatic, by a jury lawfully empanelled for the purpose, or if, upon the trial of any person so indicted, such person shall appear to the jury, charged with such indictment, to be a lunatic, the court shall direct such finding to be recorded, and may proceed as aforesaid.

Where prisoner brought up to be discharged appears to be insane.

SECTION 68. In every case in which any person charged with any offence shall be brought before the court to be discharged for want of prosecution, and shall, by the oath or affirmation of one or more credible persons, appear to be insane, the court shall order the district attorney to send before the grand jury a written allegation of such insanity in the nature of a bill of indictment; and thereupon the said grand jury shall make inquiry into the case, as in cases of crimes, and make presentment of their finding to said court thereon; and thereupon the court shall order a jury to be empanelled to try the insanity of such person; but before a trial thereof be ordered, the court shall direct notice thereof to be given to the next of kin of such person, by publication or otherwise, as the case requires, and if the jury shall find such person to be insane, the like proceedings may be had as aforesaid.

Insane defendant to be delivered to friends, &c.

SECTION 69. If the kindred or friends of any person who may have been acquitted as aforesaid, on the ground of insanity, or in the default of such, the guardians, overseers or supervisors of any county, township or place, shall give security in such amount as shall be satisfactory to the court, with condition that such lunatic shall be restrained from the commission of any offence by seclusion or otherwise, it shall be lawful for the court to make an order for the enlargement of such lunatic, and his delivery to his kindred or friends, or as the case may be, to such guardians, overseers or supervisors.

How expenses to be paid in such cases.

SECTION 70. The estate and effects of every such lunatic shall, in all cases, be liable to the county for the reimbursement of all costs and expenses paid by such county in pursuance of such order; but if any person acquitted on the grounds of insanity, shall have no estate or effects, the county, township or place to which such lunatic may be chargeable under the laws of this commonwealth relating to the support and employment of the poor, shall, after notice of his detention aforesaid, be liable for all costs and expenses as aforesaid, in like manner as if he had become a charge upon any township not liable for his support under the laws aforesaid.

Civil actions against felons.

SECTION 71. In all cases of felony heretofore committed, or which may hereafter be committed, it shall and may be lawful

for any person injured or aggrieved by such felony, to have and maintain his action against the person or persons guilty of such felony, in like manner as if the offence committed had not been feloniously done; and in no case whatever, shall the action of the party injured, be deemed, taken or adjudged to be merged in the felony, or in any manner affected thereby.

SECTION 72. The imprisonment awarded as part of the punishment of any offender, shall not stop or avoid the awarding or taking out of execution to levy such respective sums recovered against them, as such offenders refuse or neglect to pay, when such writs are taken out, which executions shall be directed to the sheriff or coroner of the proper county, requiring him to levy the sums due upon such recoveries as aforesaid, of the lands and tenements, goods and chattels of such offenders, returnable to the next term or session of the court where such conviction was had, which shall be executed accordingly; and the lands, goods and chattels thereby seized shall be sold and conveyed by the said officers, and such sales shall be as available and effectual in law as any other sales of land taken and sold for the payment of debts, by virtue of writs of execution awarded out of the courts of common pleas in the respective counties.

Executions upon sentences of restitution.

SECTION 73. If any person who hath been, or shall be legally indicted in any court of criminal jurisdiction within this commonwealth, of treason, felony of death, robbery, burglary, sodomy or buggery, or as accessories before the fact to any of the same offences, did not or will not appear to answer to such indictment, or having appeared, shall escape before trial, the same indictment, record and proceedings shall be removed by writ of certiorari into the supreme court of this commonwealth, and it shall and may be lawful for the same court to award a writ of capias, directed to the sheriff of the county where the fact shall be charged to have been committed; and if the party indicted shall be supposed, by the indictment, to inhabit or be conversant in any other county, then also to the sheriff of such county; which writ or writs shall be delivered to the said sheriff or sheriffs, at least two months before the day of the return thereof, commanding the said sheriff or sheriffs to take the person so indicted as aforesaid, if he may be found in his or their bailiwicks, and him safely keep, so that he may have his body before the justices of the said supreme court, at the next supreme court to be holden for the said commonwealth, to answer to the said indictment, or prosecute his traverse thereupon, as the case may be, and to be further dealt with as the law shall direct; and if the same sheriff or sheriffs shall make return to the same writ or writs of capias, that the person indicted as aforesaid, cannot be found in his bailiwick, then, after such return, a second writ of capias may issue out of the said supreme court, and be delivered at least three months before the return day thereof, to the sheriff of the county where the fact shall be charged to have been committed; and in case the party shall be supposed, by the indictment, to inhabit or be conversant in any other county, then another writ of capias shall also issue, and be delivered at least three months before the return day thereof, to the sheriff of such county; which writ or writs of ca-

Outlawry.

pias shall be returnable before the justices of the same court, on the first day of the second term next after the teste of the said second writ of capias, so that a term shall intervene between the teste of the return days of the same writ or writs, whereby the said sheriff or sheriffs shall be commanded to take the said person so indicted as aforesaid, if he may be found in his or their bailiwicks, and him safely keep, so that he may have his body before the justices of the said supreme court at the day of the return thereof, to answer or prosecute his traverse as aforesaid; but if he cannot be found in his or their bailiwicks, then to cause public proclamation to be made on three several days in one of the courts of quarter sessions of the peace to be held for the said counties respectively, between the teste and return days of the same writ or writs, that the party so indicted shall appear before the said justices of the said supreme court, at a supreme court to be holden at the time and place contained in the same writs, to answer such indictment or prosecute his traverse thereof, as the case may be, or through default thereof, he will at the return of the same writ or writs be outlawed, and attainted of the crime whereof he was indicted as aforesaid; and the said second writ of capias, directed to the sheriff of the county where the crime hath been, or shall be charged to have been committed, shall contain a further clause commanding the said sheriff, in case the person indicted as aforesaid cannot be found in his bailiwick, to cause public advertisement to be made in one or more of the public newspapers of this state, once a week, in six succeeding weeks, between the teste and return of the said second writ of capias, specifying therein the coming of the said second writ of capias to his hands, with the teste thereof, and the time and place of return to be made thereof, naming the person indicted as aforesaid, with his addition of degree, mystery and place of abode, as contained in the writ, stating the nature of the offence charged against him, and commanding him to appear before the justices of the said supreme court, at the day and place directed by the said second writ of capias, to answer to the said indictment, or prosecute his traverse thereof, as the case may be, or through default thereof at the return of the said second writ of capias, he will be outlawed and attainted of the crime whereof he shall have been indicted as aforesaid; and if upon the return of the same writ or writs last mentioned, by the said sheriff or sheriffs, that the directions of the said writ or writs had been fully complied with and pursued, and the person indicted as aforesaid shall not yield himself to one of the said sheriffs, so that he may have his body before the justices of the said supreme court at the day and place as directed by the said writ or writs, or having surrendered himself, shall escape from his custody, or having been bailed, on his surrender or caption shall not appear, so that through want of his appearance at the time and place the said supreme court shall appoint for his trial, no trial of his offence can be had, the justices of the said supreme court shall in either of these cases pronounce and declare the said person indicted as aforesaid, and not appearing at the time and place appointed for his trial as aforesaid, to be outlawed and attainted of the crime whereof he shall have been indicted

as aforesaid; the said supreme court to pronounce the judgment of outlawry against the principal offender, previously to the declaration of outlawry against the accessory, against whom, in all other respects, it shall be lawful to carry on the proceedings together, and at the same time the said supreme court shall declare the legal punishment for the same crime; and wherever imprisonment shall be a part of the sentence for any of the said offences, the term thereof shall commence from the time the person outlawed shall, subsequent to his outlawry, actually be in the custody of the sheriff of the county where the offence was or shall be committed, which sentence shall be fully and particularly entered upon the records of the said supreme court; and the said sentence of outlawry shall have the legal effect of a judgment upon verdict or confession against the person so outlawed, for the offence whereupon he shall have been outlawed, unless and until the same outlawry shall be afterwards avoided by the judgment of the same court, on plea pleaded in the nature of a writ of error.

When any person outlawed as aforesaid, shall be taken either by *capias utlagatum*, or otherwise, or being in the sheriff's custody, shall be brought to the bar of the supreme court, the court shall, upon the suggestion and prayer of the attorney general, award execution to be done upon him, unless the prisoner shall plead either *ore tenus*, or in writing, as his counsel shall advise, that he was not the person who was outlawed, or shall assign errors, in fact or in law, sufficient to prevent the award of execution, in which case the court shall proceed to determine the same either by an inquest or by their own judgment, agreeably to law; and the prisoner shall by such plea have all the benefit and advantage of all legal matters in his favor, as if he or she had brought a writ of error and had assigned the several matters pleaded as errors: *Provided*, If any person out- Proviso.  
lawed shall within the space of one year next after the outlawry pronounced against him, yield him to one of the justices of the supreme court, and offer to traverse the indictment whereon the said outlawry shall be pronounced as aforesaid, that then he shall be received to the same traverse; and being thereupon found not guilty, by the verdict of a jury, of the offence for which he shall have been outlawed as aforesaid, he shall be clearly acquitted and discharged of the said outlawry, and of all penalties and forfeitures by reason of the same, as fully as if no such outlawry had been had, anything hereinbefore contained to the contrary thereof notwithstanding.

All the costs and charges of the said proceedings to outlawry shall be borne and paid by the county where the crime is laid to have been committed: *Provided always*, That if the person or Proviso.  
persons so outlawed shall have real or personal estate, the same or so much thereof as shall be necessary, shall be sold in the manner provided by the seventy-second section of this act, and the net proceeds of such sales shall be applied to the payment of the said costs and charges, or so far as the same shall extend, in exoneration of the county.

SECTION 74. Whenever any person shall be sentenced to imprisonment at labor by separate or solitary confinement, for any period not less than one year, the imprisonment and labor shall Sentences of separate or solitary confinement.



be had and performed in the state penitentiary for the proper district: *Provided*, That nothing in this section contained shall prevent such person from being sentenced to imprisonment and labor, by separate or solitary confinement, in the county prisons now or hereafter authorized by law to receive convicts of a like description: *And provided also*, That no convict shall be sentenced by any court of this commonwealth, to either of the penitentiaries thereof, for any term which shall expire between the fifteenth of November and the fifteenth of February of any year.

*Sentences of less than one year, and simple imprisonment.* SECTION 75. No person shall be sentenced to imprisonment at labor, by separate or solitary confinement, for a period of time less than one year, except in the counties where, in the opinion of the court pronouncing the sentence, suitable prisons have been erected for such confinement and labor; and all persons sentenced to simple imprisonment for any period of time, shall be confined in the county jail where the conviction shall take place: *Provided*, That in the counties where suitable prisons for separate or solitary confinement at labor do not exist, and the sentence shall be for less than one year, simple imprisonment shall be substituted in all cases for the separate and solitary confinement at labor required by the act to consolidate, revise and amend the penal laws of this commonwealth.

*Proviso.* SECTION 76. Whenever, hereafter, any person shall be condemned to suffer death by hanging, for any crime of which he shall have been convicted, the said punishment shall be inflicted upon him within the walls or yard of the jail of the county in which he shall have been convicted; and it shall be the duty of the sheriff or coroner of the said county to attend and be present at such execution, to which he shall invite the presence of a physician, the district attorney of the county, and twelve reputable citizens, who shall be selected by the sheriff; and the said sheriff shall, at the request of the criminal, permit such ministers of the gospel, not exceeding two, as he may name, and any of his immediate relatives, to attend and be present at such execution, together with such officers of the prison, and such of the sheriff's deputies as the said sheriff or coroner, in his discretion, may think it expedient to have present; and it shall be only permitted to the persons above designated to witness the said execution: *Provided*, That no person under age shall be permitted, on any account, to witness the same; and after the execution, the said sheriff or coroner shall make oath or affirmation, in writing, that he proceeded to execute the said criminal, within the walls or yard aforesaid, at the time designated by the death warrant of the governor; and the same shall be filed in the office of the clerk of the court of oyer and terminer of the aforesaid county, and a copy thereof published in two or more newspapers, one, at least, of which shall be printed in the county where the execution took place.

*Execution in capital cases.* SECTION 77. All indictments which shall hereafter be brought or exhibited for any crime or misdemeanor, murder and voluntary manslaughter excepted, shall be brought or exhibited within the time and limitation hereafter expressed, and not after; that is to say, all indictments and prosecutions for treason, arson, sodomy, buggery, robbery, burglary, perjury, counterfeiting,

*Proviso.*

*Limitation of prosecutions.*



forgery, uttering or publishing any bank note, check or draft, knowing the same to be counterfeited or forged, shall be brought or exhibited within five years next after the offence shall have been committed; and all indictments and prosecutions for other felonies not named or excepted heretofore in this section, and for all misdemeanors, perjury excepted, shall be brought or exhibited within two years next after such felony or misdemeanor shall have been committed: *Provided however*, That if the person against whom such indictment shall be brought or exhibited, shall not have been an inhabitant of this state, or usual resident therein, during the said respective terms for which he shall be subject and liable to prosecution as aforesaid, then such indictment shall or may be brought or exhibited against such person at any period within a similar space of time during which he shall be an inhabitant of, or usually resident within this state: *And provided also*, That indictments for misdemeanors committed by any officer of a bank, or other corporation, may be commenced and prosecuted at any time within six years from the time the alleged offence shall have been committed.

Proviso.

Proviso.

SECTION 78. All fines imposed upon any party, by any court of criminal jurisdiction, shall be decreed to be paid to the commonwealth; but the same shall be collected and received, for the use of the respective counties in which such fines shall have been imposed as aforesaid, as is now directed by law.

Fines.

SECTION 79. The following named acts of assembly, and parts thereof, and all other parts of the criminal laws of this state, and forms of procedure relative thereto, so far as the same are altered and supplied by the act to consolidate, revise and amend the penal laws of this commonwealth, and by this act, be and the same are hereby repealed.

Repealing section.

1700. An Act against forcible entry.

1700. An Act against removing of land marks.

1700. An Act about binding the peace.

1700. An Act against barrators.

1700. An Act against the grievous sin of cursing and swearing within this province or territory.

1700. An Act against defacers of charters.

1705. An Act against incest.

1705. An Act against adultery and fornication.

1705. An Act against bigamy.

1705. An Act against rioters and riots.

1705. An Act against mixing and adulterating strong liquors.

1705. An Act for county seals and against counterfeiting hands and seals.

1705. An Act for bailing prisoners and about imprisonment.

1718. May 31. An Act for the advancement of justice and more certain administration thereof, except the 3d and 4th sections.

1722. May 22. Sections 1st, 2d, 3d, 4th, 6th, 8th, 9th, 10th and 19th of an act for establishing courts of judicature in this province.

1727. March 2. Section 10th of an act more effectually to prevent unfair practices in packing of beef and pork for exportation.

1760. April 9. Section 6th of an act to prevent the hunting of deer and other wild beasts beyond the limits of lands purchased from the Indians.
1762. Feb. 17. An Act for the more effectual suppressing and preventing lotteries.
1767. Feb. 21. A supplement to the act, entitled "An Act for the advancement of justice and the more certain administration thereof."
1772. March 21. A supplement to the act, entitled "An Act against adultery and fornication."
1772. March 21. A supplement to the act, entitled "An Act for the advancement of justice and the more certain administration thereof."
1774. Dec. 24. Section 10th of an act to prevent frauds in the packing of shad and herrings for exportation.
1775. March 18. Section 7th of an act to regulate the assize of bread, and for other purposes therein mentioned.
1777. Feb. 11. An Act declaring what shall be treason, and what other crimes and practices against the state shall be misprision of treason.
1780. March 8. An Act for the amendment of the laws relative to the punishment of treason, robberies, misprision of treason and other offences.
1780. March 10. An Act to increase the punishment of horse stealing.
1781. April 5. Section 15th of an act to prevent the exportation of bread and flour not merchantable, and for repealing, at a certain time, all of the laws heretofore made for that purpose.
1782. Dec. 3. An Act to prevent the erecting any new and independent state within the limits of this commonwealth.
1784. Sept. 15. So much of the 3d section as imposes a penalty for forging and altering of brand, of an act to prevent the exportation of bread and flour not merchantable.
1789. March 27. An Act to prevent the importation of convicts into this commonwealth.
1790. April 5. Sections 1st, 2d, 3d, 4th, 5th, 6th, 7th, 32d and 33d, of an act to reform the penal laws of this state.
1791. April 13. Section 7th of an act to establish the judicial courts of this commonwealth, in conformity to the alterations and amendments in the constitution.
1791. Sept. 23. Except sections 4th, 12th, 13th and 16th, a supplement to the penal laws of the state.
1792. Jan. 20. An Act to prevent the sale of lottery tickets within this commonwealth.
1794. April 18. Sections 1st and 4th of an act to prevent the damages which may happen by the firing of woods.

1794. April 22. An Act for the better preventing of crimes, and for abolishing the punishment of death in certain cases.
1797. March 17. Section 13th of an act to revive the incorporation of the subscribers to the Bank of North America.
1797. March 20. A supplement to the penal laws of this state.
1799. April 4. An Act for perpetuating the penal laws of this state.
1804. March 5. Section 7th of an act to incorporate the Philadelphia Bank.
1804. April 3. Section 1st of an act for the punishment of perjury and the subornation of perjury.
1804. Dec. 8. An Act to regulate the payment of costs on indictments.
1805. March 2. An Act for the more effectual prevention of excessive and deceitful gaming, and to prevent unlawful sales of chances of lottery tickets, &c.
1805. March 28. An Act explanatory of an act, entitled "An Act to regulate the payment of costs on indictments."
1806. March 17. An Act regulating the power of the justices of the peace in cases of assault and battery.
1806. March 21. A supplement to sundry penal laws of this commonwealth.
1806. March 31. An Act to restrain the horrid practice of duelling.
1807. April 4. Sections 1st, 2d, 3d and 6th, of a further supplement to the penal laws of this state.
1808. Feb. 15. An Act to declare masquerades and masked balls common nuisances, and to punish those who promote and encourage them.
1808. March 28. An Act supplementary to the penal laws of this commonwealth.
1809. March 29. An Act making perpetual an act, entitled "An Act to regulate the payment of costs on indictments," and the 2d section of an act, entitled "An Act explanatory of the act, entitled 'An Act to regulate the payment of costs on indictments.'"
1811. April 2. Section 27th of an act to incorporate the Union canal company of Pennsylvania.
1813. March 29. A further supplement to an act, entitled "An Act directing the mode of selecting and returning jurors."
1814. March 14. So much of section 17th as relates to counterfeiting numbers, marks or brands, of an act providing for the inspection of spirituous liquors.
1814. March 26. Section 11th of an act for the relief of insolvent debtors.
1814. March 28. Section 13th of an act establishing a fee bill.

- 1816. March 18. A further supplement to an act, entitled "An Act for the prevention of vice and immorality, or unlawful gaming, and restraining disorderly sports and dissipation."
- 1817. March 10. An Act to repeal an act, entitled "An Act to amend the penal laws."
- 1819. March 27. An Act to prevent the removal of flag-staffs, beacons or buoys in any of the navigable streams within this commonwealth.
- 1819. March 29. Section 4th of an act enjoining duties on the attorney general, and for other purposes.
- 1820. Jan. 29. Section 5th of a supplement to an act, entitled "An Act for the relief of insolvent debtors."
- 1820. Feb. 9. A further supplement to an act to regulate the payment of costs on indictments.
- 1822. April 2. Section 6th of an act to prevent the disturbance of meetings held for the purpose of religious worship.
- 1824. March 25. Sections 11th, 12th and 13th of an act to re-charter certain banks.
- 1824. March 27. An Act for the protection of vineyards.
- 1824. March 29. An Act to prevent the destruction of timber, and supplementary to an act to prevent the damages which may happen by the firing of woods, passed the 18th day of April, 1794, except the third section thereof.
- 1825. April 11. A further supplement to the penal laws of this commonwealth.
- 1826. April 5. An Act to enable grand jurors to administer oaths or affirmations to witnesses.
- 1826. April 10. Sections 5th and 6th of an act to protect the public in the full benefit and enjoyment of the works constructed for the purposes of inland navigation.
- 1827. Feb. 12. A supplement to an act, entitled "An Act to protect the public in the full benefit and enjoyment of the works constructed for the purposes of inland navigation."
- 1827. April 16. An Act concerning the backing or endorsing warrants by the justices of the peace.
- 1827. April 17. An Act to prevent certain abuses of the law relative to fugitives from labor.
- 1829. April 23. Sections 1st, 2d, 4th and 5th of a further supplement to an act, entitled "An Act to reform the penal laws of this commonwealth."
- 1831. March 25. Section 1st of an act more effectually to prevent and punish extortion, and for other purposes.
- 1831. March 28. Sections 3d and 4th of an act to enlarge the buildings of the state penitentiary, and for other purposes.
- 1832. April 30. Section 1st of an act concerning the administration of justice.
- 1832. May 5. Section 11th of an act regulating lateral railroads.

1833. March 1. Section 2d of an act for the entire abolition of lotteries.
1834. April 10. An Act to abolish public executions.
1834. April 14. Section 6th of an act for the amendment of the law relating to factors.
1834. April 14. Sections 152d, 153d, 154th, 155th, 156th, 161st and 162d of an act relative to the organization of courts of justice.
1835. April 15. Sections 198th and 200th of an act relating to inspectors.
1835. April 15. An act supplementary to an act to prevent the disturbance of meetings held for the purpose of religious worship, passed 2d April, 1822.
1836. April 1. An act for the prevention of injuries to individuals by the gross negligence or wilful misconduct of stage drivers and others.
1836. June 13. Section 74th of an act relating to roads, highways and bridges.
1836. June 13. Sections 58th, 59th, 60th, 61st and 62d of an act relating to lunatics and habitual drunkards.
1836. June 16. Sections 42d, 43d, 44th and 45th of an act relating to insolvent debtors.
1836. June 16. Section 9th of an act relating to the jurisdiction and powers of courts.
1838. April 16. Sections 8th and 9th of a supplement to an act to incorporate the Middleport and Pine Creek railroad company.
1839. July 2. Sections 122d and 123d of an act relating to the elections of this commonwealth.
1840. April 1. So much of the 1st section (as provides penalties against purchasers and receivers of stolen lumber) of a supplement to an act passed twenty-ninth March, eighteen hundred and twenty-four, entitled "An Act to prevent the destruction of timber," and supplementary to the act, entitled "An Act to prevent the damages which may happen by firing woods," passed eighteenth April, seventeen hundred and ninety-four.
1840. April 16. Section 4th of a further supplement to the act, entitled "An Act to incorporate the Miners' Bank of Pottsville, in the county of Schuylkill," passed 7th February, 1828.
1841. May 27. Section 10th of an act relating to the election of county treasurers, and for other purposes, so far as the same relates to county treasurers.
1842. March 12. Section 7th of an act to provide for the resumption of specie payments by the banks of this Commonwealth, and for other purposes.
1842. March 14. Section 10th of an act to enable the commissioners of Greene county to sell real estate, and for other purposes.

1842. June 23. Section 2d of an act to establish an institution by the name of the institution for colored youths.
1842. July 12. Sections 20th and 21st of an act for abolishing imprisonment for debt, and punishing fraudulent debtors.
1843. April 19. Section 1st of an act to punish seduction, and to afford a more adequate civil remedy for the injury.
1844. April 26. Fifth resolution providing against receivers of stolen goods, entitled "Resolution to authorize the county commissioners of Philadelphia county to borrow money, and for other purposes."
1845. April 16. Section 17th of an act to increase the revenues and diminish the expenses of the commonwealth.
1846. April 17. Sections 1st and 2d of a further supplement to the penal laws of this commonwealth.
1846. April 20. Section 2d of an act to provide for the ordinary expenses of government, the repairs of canals and railroads, and other claims upon the commonwealth.
1847. Feb. 16. An Act for the suppression of gambling.
1847. Feb. 18. An Act concerning sentences of convicts.
1847. March 3. An Act to define and punish the offence of bribery.
1847. March 3. Sections 1st, 2d, 3d, 4th and 6th of an act to prevent kidnapping, preserve the public peace, &c.
1847. March 3. An Act to prevent and punish frauds in the use of false stamps and labels.
1847. March 16. Sections 1st and 3d of an act declaring obstructions to private roads to be a public nuisance, and for other purposes.
1847. March 16. Section 4th of an act relating to the second brigade, eighth division, Pennsylvania militia; and relative to the Doylestown Greys; and relative to the Luzerne and Northampton coal company; and disturbing religious congregations.
1848. April 10. Section 1st of a further supplement to the penal laws of this state.
1848. April 10. Section 3d of an act extending the chancery powers of, and the jurisdiction and proceedings in certain courts.
1849. Feb. 19. Section 16th of an act regulating railroad companies.
1849. Feb. 27. Section 1st of an act declaratory of the act, entitled "An Act declaring obstructions to private roads a public nuisance," etc.
1849. April 5. Section 2d of an act to prevent the opening of streets or public roads through burial grounds, and for the protection of cemeteries and grave yards.



1849. April 9. Section 7th of an act relative to the venders of mineral water.
1849. April 16. Sections 7th, 10th and 11th of an act relating to lunatics and habitual drunkards; to punish aldermen and justices of the peace for misdemeanors; relating to arbitration in the district court for the city and county of Philadelphia; relative to deeds of assignment; relative to judgment liens; relating to the limitation of actions; relating to liens and terre tenants; and for the more effectual punishment of arson.
1849. April 21. Section 2d of an act to restrain corporations from issuing obligations redeemable otherwise than in gold and silver and in current bank notes.
1850. April 16. Section 20th of an act regulating banks.
1850. April 25. Sections 34th, 36th and 40th of an act relating to executrixes; to partition in the orphans' court and common pleas, &c.
1850. May 3. Sections 4th and 5th of an act providing for the election of district attorneys.
1851. April 14. Section 11th of an act, entitled "An Act extending the time for the completion of the Hollidaysburg and Bedford turnpike company," &c.
1851. April 14. Section 8th of an act relating to the commencement of actions; to judgments and decrees for the payment of money to the widows and children of decedents; to partitions in the common pleas; relative to penalties of telegraph operators, &c.
1851. April 15. Section 1st of an act to prevent the landing of foreign convicts, &c.
1852. March 10. A further supplement to the penal laws of this state, to render their limitation uniform.
1852. May 4. Section 3d of an act relative to courts of this commonwealth.
1854. May 8. Section 5th of an act to protect certain domestic and private rights, and to prevent abuses in the sale and use of intoxicating drinks.
1855. March 13. A supplement to an act to define and punish the offence of bribery.
1855. April 26. Sections 1st and 2d of an act relating to estates held for corporate, religious and charitable uses.
1855. May 7. An Act to protect burial grounds.
1855. May 7. Section 3d of an act to protect keepers of hotels, inns and boarding houses.
1855. May 8. Section 3d of an act relating to electrical telegraphs, and messages sent thereby.
1855. May 8. An Act to punish and prevent frauds in the use of false stamps, labels and trade-marks.

1856. April 4. An Act relating to agricultural, horticultural and floral exhibitions.
1856. April 26. An Act to prevent the imprisonment of witnesses in certain cases.
1856. May 13. An Act relative to libels.
1856. Nov. 6. An Act allowing bills of exception and writs of error in criminal cases, except sections 6th and 7th thereof.
1857. April 24. An Act to repeal the act of the tenth March, eighteen hundred and fifty-two, limiting the commencement of prosecutions.
1858. March 15. A supplement to an act relating to embezzlement.
1858. April 15. An Act to make better provision for the punishment of frauds committed by bankers, trustees and other persons entrusted with property.
1858. April 20. Section 11th of a supplement to an act to regulate the sale of intoxicating liquors, &c., so far as the same relates to the sale of adulterated liquors.
1859. April 6. Section 1st of an act further to prevent the disturbance of public meetings.
1859. April 12. An Act relating to costs in certain cases.

Saving section.

SECTION 80. The acts of assembly, and parts thereof, hereinbefore repealed, shall be and the same are hereby continued in force and effect, until this act, and the act to consolidate, revise and amend the penal laws of this commonwealth, shall go into force and effect, according to the provisions thereof; and the said acts and parts thereof, and all other parts of the existing criminal law, shall continue in full force and effect, anything in this act, or the act to consolidate, revise and amend the penal laws of this commonwealth, to the contrary notwithstanding, as to all crimes and offences committed before this act, and the act to consolidate, revise and amend the penal laws of this commonwealth, shall have become a law, or shall have gone into effect: *Provided*, That all suits, indictments and prosecutions, for such crimes and offences, shall be brought within the time limited and prescribed by this act.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER

No. 376.

## AN ACT

To establish a system of Free Banking in Pennsylvania, and to secure the Public against loss from Insolvent Banks.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That any partnership or association of persons, not less than five, in pursuance of this act may establish banks of discount, deposit and circulation, subject to the terms, conditions, contingencies, restrictions and liabilities hereinafter prescribed; but the capital of no bank, established under the provisions of this act, shall exceed one million of dollars, or be less than fifty thousand dollars.

Banks may be established.

Capital.

SECTION 2. That whenever any such partnership or association of citizens desire to establish a bank, or increase its capital, they shall make a certificate, to be hereinafter described, under their hands and seals, and shall cause a notice of the same to be advertised, for at least six months, in at least three newspapers, one published at the seat of government of the state, and the other two in the city or county where such bank is to be located, one of which shall be in the German language, if such paper is published; which certificate, after due notice of the same shall be published as aforesaid, shall be submitted to, and examined by, the attorney general of the commonwealth, and by him certified to be properly drawn and signed, and that the notice of the same has been duly and correctly advertised according to law, and that the certificate and the published notice are in conformity with the constitution and the laws of this commonwealth; for which service the attorney general shall be entitled to a fee of five dollars.

Certificate of intention to establish a bank to be published.

Fee of attorney general.

SECTION 3. That the certificate approved by the attorney general shall specify—

Nature of certificate.

I. The name of such persons, partnership or association, and the names and residences of each member of any partnership or association.

II. The place of business, designating the city, town or village, and the county where the contemplated bank is to be located, and which location shall not be changed, without the consent of the auditor general, after six months' public notice.

III. The amount of capital stock of such association, the number of shares into which the same shall be divided, together with any contemplated increase of capital stock.

IV. The names and places of residence of the shareholders, and the number of shares held by each of them respectively.

V. That when the certificate is so certified by the attorney general as aforesaid, the same shall be recorded in the office for recording of deeds in the city or county where the bank is to be located, in a suitable book to be kept for that pur-

pose, and a copy of said certificate, duly certified by the recorder, shall be filed in the office of the auditor general; and the auditor general, upon the receipt of such certified copy, shall enter thereon, and upon the original certificate to be retained by such partnership or banking association, the day and date of the filing of the same, and shall, moreover, cause a true copy of such certificate to be recorded, at length, in a suitable book to be kept in his office for that purpose, for which he shall receive the sum of five dollars; and the governor shall, upon the certified copy of the aforesaid certificate being produced before him, cause letters patent, under the great seal of the commonwealth, to be issued to the said banker or corporation.

Letters patent.

Body corporate.

Term and letters patent.

Powers and privileges.

SECTION 4. That every association authorized to carry on the business of banking, under this act, shall be held and adjudged to be a body corporate, with succession, for the term of twenty years from the date of letters patent, and thereafter only so long as is necessary to close the affairs of such bank, and by its corporate name shall be competent to contract, prosecute and defend actions of every description, as fully as natural persons; and process against such bank may be served upon its president or cashier, or by leaving a copy thereof at their usual place of business, during the usual hours of business; they shall have power to make and adopt a corporate seal, and to change and renew the same at pleasure; and shall, during the term of twenty years from the date aforesaid, if the said bank shall so long comply with the provisions of this act, have power to loan money, buy, sell and discount bills of exchange, notes, and all other written evidences of debt, except such as it shall be prohibited by this act from buying, selling or discounting, receive deposits, buy and sell gold and silver coin and bullion, collect and pay over money, and transact every such other business as shall appertain to the business of banking, subject, however, to the provisions of this act; may acquire and hold and convey such real estate as may be necessary to the proper transaction of business, and no more; but may, however, acquire title to any real estate pledged to secure any debt previously contracted, or purchased on an execution or order of sale to satisfy any judgment or decree in its favor, or which shall have been conveyed to it in payment of any previous debt, but shall hold any real estate so held no longer than is necessary to secure the payment of said debt, interest and costs, for the collection and securing of the debt for which it was acquired: *Provided however,* That if at any time before selling the same, the last preceding owner, his, her or their heirs, shall tender to said bank a sum sufficient to secure the payment of such debt, with interest, costs, taxes and other necessary charges for the collection or securing of said debt, for which said real estate was acquired, then the bank shall release to such owner, his, her or their heirs, all right, title and interest therein: *Provided further,* That said last preceding owner or owners, their heirs or attorneys, shall have the right of redemption of said real estate for the term of twelve months after sale, upon paying debt, interest and costs.

Proviso.

Proviso.

SECTION 5. That it shall be the duty of the auditor general to report, annually, to the legislature, within three days from

the commencement of the session, a summary of the state and condition of every incorporated bank or banking institution, and every private bank from which reports have been received for the preceding year, at the several dates to which such reports refer, with an abstract of the whole amount of banking capital returned by them, of the whole amount of their debts and liabilities, specifying, particularly, the amount of circulating notes outstanding, and the total amount of means and resources, specifying the amount of specie held by them at the time of the several returns, and such other information in relation to said banks and associations as, in his judgment, may be useful; the said report shall also contain a statement of the amount of the expenses of his office, on account of banks, during the year, and the amount, if any, for which the treasury shall be in advance; such number of copies of said report, for the use of the legislature, as it may direct, and two hundred and fifty copies for the use of his department, shall be printed, by the public printer, in readiness for distribution within twenty days from the commencement of the legislative session.

Auditor general to make annual report to the legislature of the condition of the banks.

SECTION 6. That any increase of capital, alteration or addition, shall be advertised as is provided for by the second section of this act, for six months, and then submitted to the stockholders at a general meeting called for that purpose, and by them approved; and further, any such increase of capital, alteration or addition, shall also be approved by the auditor general; and if approved by the same, shall be attested and recorded, and published, as is provided in the original formation of said bank.

Increase of capital, relative to.

SECTION 7. That the auditor general of this commonwealth shall cause to be engraved and printed, in the best manner to guard against counterfeiting, such quantity of circulating notes, in blank, of different denominations, not less than five dollars, each of which are authorized to be issued by the banks of this commonwealth incorporated under this act, as he may deem necessary, from time to time, to carry into effect the provisions of this act; said notes shall be countersigned by the auditor general, or by a clerk appointed by him for such purpose, numbered and registered in his office, in manner as directed by him, in a book kept for the purpose; and all notes issued by him shall be uniform, and they shall have stamped on them, secured by the deposit of public stock.

Auditor general to cause notes to be engraved, &c.

SECTION 8. That the plates, dies and materials to be procured by the auditor general, for the printing and making of such bills or notes for circulation, shall remain in his custody and under his direction, and the expenses necessarily incurred in executing the provisions of this act, shall be audited by the auditor general, and paid out of the treasury on his written order; and for the purpose of reimbursing the same, the auditor general is hereby authorized and required to charge against, and receive from, each bank or banking association applying for such notes for circulation, such rate per centum thereon as will repay the expenses necessarily incurred, as before directed.

Plates, dies, &c., to be procured by auditor general, and to remain in his custody.

Expenses, how paid.

SECTION 9. That the auditor general, with the approval of the governor, shall devise a seal, with a suitable inscription, for this branch of his duties, independent of the seal of office now used

Auditor general to devise a seal for this branch of his duties.



Description to be filed in office of the secretary of the commonwealth.

by said officer as auditor general, a description of which, with a certificate of approval by the governor, shall be filed in the office of the secretary of the commonwealth, with an impression thereof, which shall thereupon become his seal of office, as set forth in this act, and the same may be renewed when necessary; every certificate, assignment and conveyance, executed by the said auditor general in pursuance of any authority conferred on him by this act, and sealed with the aforesaid seal, shall be received in evidence, and may be recorded in the proper recording offices, in the same manner and with like effect as a deed regularly acknowledged or proved before any officer authorized to take proof or acknowledgments of deeds; and all copies of papers in the office of said auditor general, that have any relation to any of the banks or banking associations of this state, certified by him, and authenticated by the said seal, shall in all cases be in evidence equally and in like manner as the original.

When banks entitled to receive circulating notes

SECTION 10. That banks established under this act, upon legally assigning to and depositing with the auditor general the bonds or evidences of debt of this commonwealth or of the United States, shall be entitled to receive an amount of such circulating notes in blank, of the denominations such as they may require, numbered, registered, countersigned and stamped as is herein provided for, the bonds and stocks to be taken at five per cent. less than their market value: *Provided*, That the same is not above par, and that the amount to be invested under the provisions of this act, shall not exceed the amount of capital now employed in corporate banking in this state more than fifteen millions of dollars, until otherwise provided.

Provided.

Auditor general authorized to exchange evidences of debt, &c.

SECTION 11. That the auditor general may, at his discretion, exchange such bonds or evidences of debt, or of any of them, on receiving other approved bonds or evidences of debt of this commonwealth or of the United States, of equal amount; and when any sum of the principal of the bonds or evidences of debt which have been transferred to the auditor general, shall be paid to him, he shall notify the bank or banking association which transferred the same, of such payment, and shall pay the same to such bank or banking association, on receiving other approved bonds or evidences of debt of this commonwealth or of the United States, of an equal amount, or on returning an equal amount of the bills or notes delivered by him to such association for circulation, which bills, when delivered, shall be cancelled; and all bonds or evidences of debt received by the auditor general, under the provisions of this section, shall be subject to all the regulations and restrictions prescribed by the different sections of this act.

Banking associations to receive the interest on securities deposited with auditor general.

SECTION 12. That the bank or banking association transferring bonds or evidences of debt to the auditor general may receive the interest that accrues thereon, unless default shall be made in paying the bills or notes to be countersigned as aforesaid, or unless the bonds or evidences of debt so pledged shall become insufficient security for the payment of such bills or notes; and the auditor general, together with the state treasurer and secretary of the commonwealth, shall, on the first Mondays of March and September, in each year, make an average of the value of the state and United States stocks, pledged for the redemption

Valuation of stocks pledged, relative to.



of notes issued to the several banks and banking institutions incorporated under the provisions of this act, which average shall be made on the value of the stocks aforesaid, during the last preceding six months; which average value shall be the declared value for the six months succeeding; and if the declared value of the stocks aforesaid shall exceed the value of the same at the previous average, then, and in that case, the auditor general is authorized to issue to each bank or banking institution, incorporated under the provisions of this act, an additional amount of notes or bills; but in no case shall the whole amount of the notes or bills issued to any bank or banking institution exceed the amount of five per centum less than the declared value; but if the stocks deposited as aforesaid shall become depreciated in value, so that the averages of the six months shall be below the value of the securities at the last declared value, then the auditor general shall thereupon immediately notify the president or cashier of any bank or banking institution, to place in his hands, within fifteen days, such additional amount of securities of the description named in this act, or to return to his office such an amount of the circulation of the bank as will preserve the value of the securities deposited, and secure, in full, the notes or bills issued as aforesaid; and if such bank or banking institution shall refuse or neglect to comply with the requirements made by the auditor general, then, and in that case, he shall, without delay, proceed to wind up the affairs of such bank or banking institution, in the manner prescribed by the several provisions of this act.

SECTION 13. That the affairs of every bank shall be managed by not less than five nor more than eleven directors, and they shall choose one of their number as president of the bank; every director shall be a citizen of this commonwealth; each director shall own, in his own name and right, at least one per centum of the capital stock of the bank, up to two hundred thousand dollars, and the half of one per centum on its capital stock over two hundred thousand dollars; each director shall take an oath that he will, so far as the duty devolves on him, diligently and honestly administer the affairs of the bank, and not knowingly violate or willingly permit to be violated, any of the provisions of this act, and that he is the bona fide owner, in his own right, of the stock standing in his name on the books of the bank, and that the same is not hypothecated, or in any way pledged as security for any loan obtained or debt owing; which oath, subscribed by himself and certified by the officer before whom it was taken, shall be filed and carefully preserved in the office of the recorder of deeds in the county in which the bank is located; but no person shall be president, cashier or director, or either, of more than one bank at the same time.

Management.

Directors and officers.

Oath of director.

To be filed in recorder's office.

SECTION 14. That the directors of any bank first elected shall hold their places until the first Monday in November next thereafter, and until their successors shall be elected and qualified; all subsequent elections shall be held annually, upon the first Monday in November, and the directors so elected shall hold their places for one year, and until their successors are elected and qualified; but any director removing from the state

Term of directors

Annual elections, when held.

Vacancies.

or ceasing to be the owner of the requisite amount of stock, shall thereby vacate his place; any vacancy in the board shall be filled by appointment by the remaining directors; the director so appointed shall hold his place until the next annual election; and if, from any cause, an election of directors should not be made at the time appointed, the bank shall not, for that cause, be dissolved, but an election may be held on any subsequent day, thirty days' notice thereof having been given in a newspaper printed in the county where the bank is located.

Votes.

SECTION 15. That in all elections for directors, and in deciding all questions at meetings of the stockholders, each share shall entitle the holder thereof to one vote; stockholders may vote by proxy, duly authorized in writing, if dated within thirty days; but no officer, clerk, teller or book-keeper of the bank shall act as proxy, and no stockholder, whose liability to the bank is past due and unpaid, shall be allowed to vote.

Twenty per cent.  
to be paid in gold  
and silver.

SECTION 16. That no bank shall be permitted to commence or carry on the business of banking under this act, unless at least twenty per centum of the capital stock of each bank shall be paid in gold and silver coin, or bullion, and shall be in the actual possession and bona fide the property of the bank at the time of its commencement of its banking business, and at the place designated for carrying on such business.

Capital stock to  
be divided into  
shares of fifty  
dollars each.

SECTION 17. That the capital stock of each bank shall be divided into shares of fifty dollars each, and shall be assignable on the books of the bank, in such manner as the by-laws shall prescribe; but no shareholder shall have power to sell or transfer any shares held in his own right, so long as he shall be liable, either as principal debtor, surety or otherwise, to the bank for any debt, without the consent of a majority of the directors; nor shall such shareholder, when liable to the bank for any debt that is overdue and unpaid, be entitled to receive any dividend, interest or profit on such shares, as long as such liabilities shall continue, but all such dividends, interests or profits shall be retained by the bank and applied to the discharge of such liabilities.

Transfer of  
shares.

Liability to bank  
by shareholders.

Failure to pay in-  
stalments.

SECTION 18. That if any shareholder, or his assignee, shall fail to pay any instalment on his stock, when the same shall be required to be paid, the bank may sell such stock, at public auction, having given three weeks' previous notice thereof in two newspapers, if two are published in the county where the bank is located, to the highest and best bidder for the same, and the excess, if any, after paying the expenses of the sale, shall be refunded to the delinquent stockholder.

Refusal to pay  
notes in specie  
to be declared an  
act of insolvency

SECTION 19. That if any bank, authorized by the provisions of this act, shall refuse to pay its notes of circulation, or any of them, in gold or silver coin of the lawful currency of the United States, on which payment shall be lawfully demanded at its banking house, or customary place of doing banking business, during usual banking hours, the holders of such protested notes may cause the same to be protested for non-payment by a notary public, under his official seal, in the usual manner; and the auditor general, on receiving and filing in his office such protest, shall forthwith give notice, in writing, to the maker of such note or notes, to pay the same; and if they omit to pay

the same with interest, costs and protest, for twenty days after such notice, the auditor general shall thereupon declare such bank to have committed an act of insolvency.

SECTION 20. That the auditor general, upon receiving reliable information that any bank has committed an act of insolvency, shall forthwith appoint a committee of three judicious and discreet citizens of this commonwealth, who shall receive five dollars per day each, and their traveling and necessary expenses, all of which to be paid by said bank, who shall make immediate inquiry into the truth of such information, and report thereon to the auditor general of the commonwealth; and if the said committee, or a majority of them, shall report that such bank has suspended payment of its notes in gold and silver, he shall forthwith appoint a suitable receiver, who shall take immediate possession of the books, records, money, choses in action, and property of such bank, of every description, including the securities deposited with the said auditor general, and hold the same for the joint use of the creditors of the failing bank. The compensation of such receiver shall be five dollars per day each, and traveling and necessary expenses, to be paid by said bank, whose assets he is appointed to take possession of.

Proceedings in case of insolvency.

SECTION 21. That the receiver appointed as provided in this act, shall be required to give bond in such sum and with such sureties as the auditor general and the governor shall deem sufficient, and under the direction of said auditor general, shall proceed to settle up the affairs of such bank, and shall convert into money all its assets of every kind whatsoever, with the least possible delay; the money so made shall be applied—

Duty and power of receiver.

I. To pay all the liabilities on account of the notes of circulation, to pay the same on demand, and set aside a sum sufficient to meet all the said notes outstanding.

II. Then to pay all the deposits of the bank.

III. To the payment and discharge of all the remaining liabilities of such bank.

IV. And the residue shall be divided among the stockholders of the failing bank, in proportion to the stock by them respectively held.

SECTION 22. That it shall be the duty of the cashier of every bank to publish monthly, in two newspapers, if two are published, and if two are not published, then in one paper of said county wherein the same may be situate, if there be one published in said county, the entire amount of the assets of the bank as herein provided for, and every class of items therein, under separate heads, setting forth the amount of the capital stock actually paid in, the entire amount of indebtedness and liabilities of said bank, the amount of circulation, the amount of deposits, the amount of gold and silver in the vaults of the bank at the time of making the exhibit, the amount of bills, bonds, notes and other evidences of debt, the value of the real and personal property of the bank.

Cashier to publish monthly statement.

SECTION 23. That the directors of each bank shall semi-annually, on the first Monday in May and November, declare a dividend of so much of the net profits of the bank as they shall

Dividends, when to be declared and paid.

Individual liability.

judge expedient, and pay the same to the stockholders, on demand, at any time after the expiration of ten days therefrom; but such dividend shall in no case exceed the amount of the net profits actually acquired, so that the capital stock of the bank shall never be thereby impaired; and if the directors of the bank shall make any dividends which shall impair the capital stock of the bank, the directors consenting thereto shall be jointly and severally liable in any action of debt, *scire facias*, or bill in equity, in their individual capacities, to such corporation, for the amount of the stock so divided; and each director present or otherwise when such dividend shall be made, shall be adjudged to be consenting thereto, unless he forthwith enter his protest on the minutes of the board, and give public notice to the stockholders of the declaring of such dividend.

Tax on dividends

SECTION 24. That said banks shall pay into the treasury of the state, in the manner now directed by law for the payment of a tax on dividends, as follows: On all dividends which do not exceed six per centum per annum, eight per centum; on dividends exceeding six per centum, and not exceeding seven per centum, a tax of nine per centum; on dividends exceeding seven per centum, and not eight per centum per annum, a tax of ten per centum; on dividends exceeding eight per centum per annum, and not exceeding nine per centum, a tax of twelve per centum; on dividends exceeding nine per centum, and not exceeding ten per centum, a tax of thirteen per centum; on dividends exceeding ten per centum, and not exceeding eleven per centum, a tax of fifteen per centum; on dividends exceeding eleven per centum, and not exceeding twelve per centum, a tax of seventeen per centum; on dividends exceeding twelve per centum, and not exceeding fifteen, a tax of twenty per centum; on dividends exceeding fifteen per centum, and not exceeding twenty per centum, a tax of twenty-five per centum; and on all dividends exceeding twenty-five per centum, a tax of thirty per centum.

Cashier to make statement on each dividend day.

SECTION 25. That on each dividend day the cashier shall make a full, clear and accurate statement or exhibit of the condition of the bank, as it shall be on that day, after declaring the dividend, which shall be verified by the oath of the president and cashier, setting forth—

I. The amount of the capital stock actually paid in, and then remaining as the actual capital stock of the bank.

II. The amount of the bills and notes of the bank then in circulation, specifying the amount of each denomination.

III. The greatest amount of notes in circulation at any time since the making of the last previous statement, specifying the time when the same occurred.

IV. The balances and debts of every kind due to banks of this state, and the amount due to banks not of this state.

V. The amount due to depositors.

VI. The total amount of debts and liabilities of every description, and the greatest amount since the last previous statement, specifying the time when the same occurred.

VII. The total amount of dividends declared on the day of making the statement.

VIII. The amount of gold and silver coin and bullion belonging to such bank, and in possession at the time of making the statement, designating the amount of each.

IX. The amount on hand of bills, bonds, notes and other evidences of debts discounted or purchased by the bank, specifying, particularly, the amount of suspended debt, the amount considered bad, the amount considered doubtful, and the amount in suit or judgment.

X. The value of the real and personal property held for the convenience of the bank, specifying the amount of each.

XI. The amount of real estate taken for debts due the bank.

XII. The amount of the undivided profits of the bank.

XIII. The total amount of the liabilities to the bank by the directors thereof collectively, specifying the gross amount of such liabilities as principal debtors, and the gross amount as endorsers or sureties.

XIV. The total amount of liabilities to the bank by the stockholders thereof collectively, specifying the gross amount of such liabilities as principal debtors, and the gross amount as endorsers or sureties; which statement shall be forthwith transmitted to the auditor general of the commonwealth, and a copy thereof immediately published three times in two newspapers of the county in which said bank is located: *Provided*, The same are *Proviso*. published, one of which papers shall be in the German language if published within the county, else in two English papers.

SECTION 26. That if any bank, against which the auditor general shall have instituted proceedings on account of any supposed act of insolvency as prescribed in this act, shall deny having committed such act of insolvency, such bank may apply to any court of competent jurisdiction for a writ of injunction to said auditor general, to suspend all further proceedings against such bank as an insolvent bank, and such court, after citing said auditor general to appear and show cause why such writ should not be granted, and after the finding of a jury that such bank has, at all times, continued and still continues to redeem, in gold and silver coin, its notes of circulation, shall make an order, enjoining the auditor general from all further proceedings against such bank on account of the supposed act of insolvency, on which such proceedings were instituted, and thereupon all the property and assets of such bank shall be restored to its directors.

SECTION 27. That if the auditor general in any case fail to proceed in the manner prescribed in the foregoing sections of this act, in providing for the payment of the outstanding notes of circulation, and other liabilities of the failing bank, and in closing the affairs of any bank that shall have committed an act of insolvency, the holders of any of its notes of circulation or other creditors of such bank may, in case payment of such notes of circulation or other claim has been refused, when lawfully demanded, and remain unpaid, apply to any court of competent jurisdiction for its writ commanding the auditor general so to proceed; and it shall be the duty of the said court, after citing such bank to appear and show cause why such writ should not issue, and upon the finding of a jury that such act of insolvency has been committed, to issue their writ commanding said au-

Proceedings  
against a bank  
for supposed in-  
solvency.

Failure of audi-  
tor general to  
proceed in case  
of supposed in-  
solvency.



ditor general forthwith to proceed in the manner pointed out in the preceding sections of this act, to provide for the payment of outstanding notes of such bank, close up its affairs and make application of its assets.

Neglect or refusal of any bank to comply with any order of auditor general.

SECTION 28. That if any bank shall neglect or refuse to comply with any order of the auditor general, made in accordance with the provisions of this act, requiring such bank to reduce its circulation, or to provide a larger amount of specie or other means, or to pay in its stock, or to do or cease to do any other matter or thing which said auditor general may deem necessary for the security of the noteholders and other creditors, then the auditor general may apply to any judge of competent jurisdiction, by petition, in which the auditor general shall be made the petitioner, and the bank implicated defendant, setting forth the substance of such order or orders, and such neglect or refusal on the part of the bank, its officers or agents, and the auditor general having made affidavit of such neglect or refusal, then it shall be the duty of such judge to allow an injunction, and to enjoin such bank, its officers, agents and all others in its employ or connected therewith, from doing, or suffering, or permitting to be done, any business whatever as a bank, from intermeddling with, or in any manner disposing of the books, papers, money, choses in action, assets or property of the bank, until the further order of the judge to whom application had been made as aforesaid; a petition, reciting the proceedings had, shall be filed in the court where proceedings have been had, as soon as the injunction is allowed.

Injunction to enjoin a bank may be allowed.

Upon the allowance of an injunction, assets to go into hands of receiver.

SECTION 29. That upon the allowance of any such injunction, the property, credits, securities, liens and assets of every description, of such bank, shall forthwith vest in the auditor general, who shall appoint a receiver or receivers, to take possession of the same, as is provided heretofore by this act; a certificate of the appointment of such receiver, from the auditor general of this commonwealth, shall be sufficient authority to him to take possession of the books, property and rights of every description of such bank, and shall be full authority to the sheriff of the county where the bank is located, to give such receiver full possession of such books, property and rights, with the aid of the county, if required, and said bank and receiver shall be governed by the provisions of this act.

Duty of receiver.

Certain kind of security not to be taken for loans or discounts.

Purchaser or holder of the capital stock of banks.

SECTION 30. That no bank shall take as security, for any loan or discount, a lien on any part of its capital stock, but the same security, both in kind and amount, shall be required of shareholders as of persons not shareholders, and no bank shall be the holder or purchaser of any portion of its capital, or of the capital stock of any other incorporated bank, unless such purchase shall be necessary to prevent loss upon a debt previously contracted in good faith, on security, which at the time was deemed adequate to insure the payment of such debt, independent of any lien upon such stock, or in case of forfeitures of stock for the non-payment of installments due thereon, as provided in this act; and stock so purchased shall in no case be held by the bank so purchasing for a longer period of time than six months, if the same can be sold for what the stock cost the said bank, or at par; nor shall any bank, either directly or indirectly



ly, pledge, hypothecate or exchange any of its notes of circulation, for the purpose of securing money to be paid in on its capital stock, nor pledge or hypothecate, directly or indirectly, any such notes to be used in its ordinary business operations.

Restrictions to pledging or exchanging notes of circulation.

SECTION 31. That each bank shall at all times have on hand, in gold or silver coin, or its equivalent, in its vaults, an amount equal to twenty per centum of all its circulating notes of every description whatsoever, and whenever the amount of its outstanding circulating notes shall exceed the above named proportion, no more of its notes shall be paid out or otherwise put in circulation by such bank, nor shall such bank increase its liabilities by making any new loans or discounts, nor make any dividends of its profits, until the required proportion between its outstanding circulating notes, and gold and silver coin, or its equivalent, shall be restored.

Necessary amount of specie each bank to have on hand.

Outstanding circulation, relative to.

SECTION 32. That no bank shall, during the time it shall continue its operations, withdraw, or permit to be withdrawn, either in form of dividends, loans to stockholders, or in any other manner, any portion of its capital stock; and if losses shall at any time have been sustained by the bank equal to, or exceeding its undivided profits then on hand, no dividends shall be made, and no dividends shall ever be made by a bank while it shall continue its banking operations, to an amount greater than its net profits then on hand, deducting therefrom its losses and bad and suspended debts; and all debts due to a bank on which interest is paid, due and unpaid for a period of six months, unless the same shall be well secured or shall be in process of collection, shall be considered bad and suspended debts within the meaning of this section.

No portion of capital to be withdrawn while the bank is in operation.

Losses, relative to.

SECTION 33. That no bank shall at any time issue or have in circulation any note, draft, bill of exchange, acceptance, certificate of deposit, or other evidence of debt, which from its character or appearance, shall be circulated or intended to circulate as money, other than such notes of circulation as are by this act described, and which such bank is by this act authorized to issue for the purpose of being circulated as money.

Circulation, relative to.

SECTION 34. That each bank shall receive at par, at the office or banking house of such bank, in payment of dues payable at such bank, for notes of hand, bills of exchange, or other evidences of debt, discounted or purchased by, or belonging to such bank, the notes of circulation issued by any other solvent bank incorporated under the provisions of this act.

Banks to receive at par each other's notes.

SECTION 35. That every bank may take, reserve, receive and charge on any loan or discount made, or upon any note or bill of exchange or other evidence of debt, at the rate of six per centum per annum on the amount of any such note, bill of exchange, or other evidence of debt so discounted, and no more: *Provided however,* That interest may be reserved or taken in

Rate per centum per annum.

Proviso.

advance at the time of making the loan or discount, according to the usual rules of banking, and the knowingly taking, reserving or charging on any debt or demand discounted or purchased by any bank, a rate of interest greater than that allowed by this section, shall be held and adjudged a forfeiture of such debt or demand; but the purchase or discount of a bona fide bill of exchange or note, payable at another place than the place of

such purchase or discount, and the taking or reserving of interest thereon at the rate aforesaid, from the time of such purchase or discount until the maturity of such bill or note, shall not be held usurious, although exchange on the place where it is made payable, is at the time of such purchase or discount worth a premium; nor shall the discount or purchase of a bona fide bill or note payable at a place between which and the place of discount or purchase exchange is in favor of the place of discount or purchase, and the taking in addition to the rate of interest aforesaid, the rate of exchange between such places, be deemed usurious: *Provided*, That no loan to or discount in favor of any director, in which more than six per centum shall be taken, reserved or charged, shall be forfeited, but the same shall be valid against such party: *And provided further*, That no director shall be allowed to purchase any note or obligation which has been rejected by the board of directors, except upon the same terms prescribed by the bank.

Proviso.

Proviso.

Transfers of notes, bonds and other evidences of debt.

SECTION 36. That all transfers of notes, bonds, bills of exchange, and other evidences of debt owing to any bank, or of deposits to its credit; all assignments of mortgages or other securities on real estate, or of judgments or decrees in its favor; all deposits of money, bullion or other valuable thing, for its use, or for the use of any of its stockholders or creditors; all payments of money to either, made after the commission of an act of insolvency, or in contemplation thereof, with a view to prevent the application of its assets in the manner prescribed by this act, or with a view to the preference of one creditor to another, except in payment of it scirculating notes, shall be held utterly null and void.

Violation of the provisions of this act by directors or officers.

SECTION 37. That if the directors of any bank shall knowingly violate, or knowingly permit any of the officers, agents or servants of such bank to violate any of the provisions of this act, all the rights, privileges and franchises of such bank shall thereby be forfeited; such violation shall, however, be determined and adjudged by a court of competent jurisdiction, agreeably to the laws of this state, and the practice of such court, before the corporation shall be declared dissolved; and in case of such violation, every director who participated in, or assented to the same, shall be held liable, in his personal and individual capacity, for all damages which the bank, its shareholders, or any other persons, body politic or corporate, shall have sustained in consequence of such violation.

Embezzlement or misapplying moneys or credits, &c., deemed a misdemeanor.

SECTION 38. That every president, director, cashier, teller, clerk or agent of any bank who shall embezzle, abstract or wilfully misapply any of the moneys, funds or credits of such bank, or shall, without authority from the directors, issue or put in circulation any of the notes of such bank, or shall, without such authority, issue or put forth any certificate of deposit, draw any order or bill of exchange, make any acceptance, sign any note, bond, draft, bill of exchange, mortgage or other instrument of writing, or shall make any false entry on any book, report or statement of the bank, with an intent, in either case, to injure or defraud such bank, or to injure or defraud any other company, body corporate or politic, or any individual person, or to deceive any officer or agent appointed to inspect the affairs of any bank,

shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be confined in the penitentiary, at hard labor, not less than one, nor more than ten years. Penalty.

SECTION 39. That the several banks and banking associations of this commonwealth, incorporated for the purposes of banking under special charters, are hereby authorized, by a vote of the stockholders of said institutions, to call in and cancel their circulating notes, and to carry on the business of banking under the provisions of this act; and that any association of citizens who have declared their intention to make application to the present legislature for an act of incorporation to organize a bank of issue, and have caused such advertisement to be made of the same as is required by law, may, with their associates, establish a bank, under the provisions of this act, at any time after its passage: *Provided*, The attorney general is satisfied, and does certify that such advertisement has been made in conformity with the constitution and present laws of this commonwealth. Banks chartered under special charters, relative to. Proviso.

SECTION 40. That the notes issued by any bank incorporated under this act shall at all times be receivable in payment of all state taxes, and other state dues. Notes to be received in payment of state indebtedness.

SECTION 41. That the general assembly may alter or repeal this act at pleasure; but no act altering or repealing this act shall impose any injustice or wrong upon the stockholders of any bank. Reservations.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 377.

## A N A C T

To incorporate the West Reading Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Jacob Bushong, John M'Manus, Isaac Bertollette, Jacob H. Deysher, John Kissinger, Henry Bushong, Lot Benson, John Melkert, Jacques Craig, Solomon Brubaker, Solomon Snyder and Isaac M'Hose, or a majority of them, be and are hereby appointed commissioners to open books, receive subscriptions and organize a company, by the name, style and title of the West Commissioners. Style.

Route.	Reading railroad, with power and authority to construct a railway, beginning at any point on and connecting with the Lebanon Valley railroad, between Fourth street, in the city of Reading, and the river Schuylkill; thence by such route as shall be deemed best, and across or along such streets in said city as it may be found expedient to use, to a point on Canal street, near
Subject to.	the Henry Clay furnace; subject to all the provisions and restrictions of an act regulating railroad companies, approved the nineteenth day of February, A. D. one thousand eight hundred and forty-nine, and the several supplements thereto; the whole length
Length of road.	of said road shall not exceed five miles; and the motive power to be used thereon shall be such as is used upon other railroads in the city of Reading.
Capital stock.	SECTION 2. That the capital stock of said company shall consist of four hundred shares of fifty dollars each; and that the said company may, from time to time, by a vote of the stockholders, at a meeting called for that purpose, of which meeting thirty days' notice shall be given in one or more papers published in the city of Reading, increase the capital stock to an amount sufficient to carry out the true intent and meaning of
May borrow money, issue bonds, &c.	this act; and the said company shall have the power of borrowing any sum of money, not exceeding ten thousand dollars, at a rate not exceeding seven per cent. per annum, and to secure the payment of the same by the issue of bonds and a mortgage of said railway, together with the corporate rights and franchises granted by this act.
Meeting of stockholders.	SECTION 3. The stockholders of said company shall meet on the second Monday of January in every year, at such place as may be fixed on by the by-laws, of which notice shall be given at least two weeks previously by the secretary, in one or more of the newspapers published in the city of Reading, and choose,
Election of officers.	by a majority of the votes present, a president and six directors, a majority of whom shall be residents of the county of Berks; and at their meetings, four shall be a quorum to do business.
Consent of councils to be had to occupy streets.	SECTION 4. That before the said company shall use, cross or occupy any of the said streets in the city of Reading, the consent of the select and common councils of the city of Reading shall be given; and the said consent shall be taken and deemed to be given if the said councils shall not, within thirty days after the passage of this act, by ordinance duly passed, signify their disapproval thereof; and the said company shall, in constructing said road along the streets referred to, conform to the grades established by the said councils of the city of Reading:
Proviso.	<i>Provided</i> , That the said company shall repair all damage that shall be done to said streets by the making of said road.
Damages for land and materials, relative to.	SECTION 5. That in all cases where the said company, and the owners of land and materials, cannot agree upon the amount of damages claimed, either for land or materials, the said company may tender a bond, with sufficient security, to the party claiming damages, the condition of which shall be that the company will pay, or cause to be paid, such amount of damages as the party shall be entitled to receive, after the same shall have been agreed on by the parties, or assessed according to law: <i>Pro-</i>
Proviso.	<i>vided</i> , That in case the party or parties claiming damages refuse

to accept the bond or bonds tendered by the said company, the said company may, in any such case, present their bond or bonds to the court of common pleas of Berks county, or to any one of the judges thereof; and if the said court, or any one of the judges thereof, approve the security, they shall direct the said bond or bonds to be filed in the prothonotary's office of said court, for the benefit of those interested; whereupon the company may enter upon or take possession of such land and materials.

SECTION 6. That in all cases in which the owners of lands and materials are minors, it shall and may be lawful for the guardian of such owners, and the company aforesaid, amicably to adjust the amount of damages to be paid, if they can agree; and on payment of the amount, it shall be lawful for such guardians to release said company from all claims therefor, and to execute all necessary papers in the premises. In case the said parties cannot agree, the said company may proceed as is provided in the preceding section of this act.

Relative to settlement of claims of minors.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twentieth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 378.

## A N A C T

Incorporating the Union Bridge Company, at Warren.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* John H. King, John Sill, G. C. James, C. W. Rathburn and J. D. James, and such others as may be associated with them, are hereby incorporated into a company, by the name and style of the Union bridge company, for the purpose of erecting and maintaining a bridge across the Allegheny river, at Warren, in the county of Warren, with a capital of fifteen thousand dollars.

Style.

Capital.

SECTION 2. That the company hereby incorporated shall have the same privileges, and be subject to the same restrictions, as were conferred and imposed on the Warren bridge company by the act incorporating the same, and other laws of this commonwealth relating thereto, except so far as is herein otherwise provided.

Privileges and restrictions.



Subscriptions  
may be received  
by either corpo-  
ration.

Election of offi-  
cers.

By-laws.

SECTION 3. That it shall be lawful for either of the corporators above named to receive subscriptions to the stock in said company, either in cash, materials or labor, under such conditions as said corporators, or a majority of them, may prescribe.

SECTION 4. That when the sum of five thousand dollars shall have been subscribed, a meeting of the stockholders may be called, for the purpose of electing five directors, who shall elect one of their number president, and to manage and conduct the affairs of said company, notice of which shall be given, either by publication in a newspaper in Warren, or personally, on each stockholder.

SECTION 5. That said company shall have power to make such by-laws, not inconsistent with laws of this commonwealth, as a majority of the stockholders, convened for that purpose, may adopt.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The eighth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 379.

## AN ACT

To authorize a lease of the Hempfield Railroad.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the surviving trustees, named in the first mortgage given by the Hempfield railroad company, and their successors in the said trust, be and they are hereby authorized and empowered to lease the said railroad to any corporation or corporations, individual or individuals, for such time, and upon such terms and conditions as the president and directors of said company may agree upon, for the purpose of finishing and putting the said road, or part thereof, in full and complete running order, and, also, of equipping and operating the same; and the said trustees or their successors, are further authorized to make and execute all leases and agreements pertaining to the accomplishment of the before named objects: *Provided however,* That any lease made in pursuance of this act, shall be approved by a majority of the votes of the stockholders of said company, who may be present or represented at a meeting called therefor, of which



twenty days' notice shall be given by publication in two or more newspapers, in the borough of Washington and the city of Philadelphia: *Provided*, That the provisions of this act shall not affect the lien of any mortgage, judgment, or other creditor or bondholder, or in any way interfere with the rights of parties who may have brought suits, or entered upon any other proceedings at law, or in equity, for the recovery or greater security of their claims as creditors of the said company.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 380.

## AN ACT

To establish the width and lines of South Mary street, in the city of Lancaster.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That Mary street, in the city of Lancaster, from west King street, southward to its present termination, shall be reduced to a width of forty-eight feet, to conform with that dimension given to the street northward, by extending or producing the east and west lines of the street, north of West King street, and, that the ground on the west side of the street, which will be thus between the present and established line, shall vest in, and belong to the holders of the property adjoining thereto, severally, agreeably to their respective limits or fronts.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 381.

## A N A C T

Appropriating an area of Ground in Philadelphia as an open Public Place for the health and enjoyment of the People, and also to preserve the purity of the Schuylkill water, at Fairmount.

Preamble.

WHEREAS, The strip of ground on the west bank of the river Schuylkill, as hereinafter fully described, should be owned by the city of Philadelphia, to prevent the erection of factories and breweries thereon, whose refuse fluids will flow into the stream, and so pass into the forebay at Fairmount:

*And whereas*, The natural advantages of the ground (abounding as it does in diversified scenery) fits it eminently for a park, thus securing, in the ownership thereof, a place for the health and recreation of the people, and preserving forever the purity of the water they drink:

*And whereas*, The rapid expansion of the city on the west of the river Schuylkill, urges immediate action herein; now, therefore,

Boundaries of  
ground to be used  
for a public park

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the title to and ownership of the area of ground which, according to an accurate survey thereof, is bounded as follows: Beginning at a point on the river Schuylkill, at the intersection of the north line of Bridge street and low water mark in said river; thence along said north side of Bridge street six hundred and twenty-two feet (622) to the easterly side of the Pennsylvania railroad, thirty-seven and one-half feet ( $37\frac{1}{2}$ ) easterly of the centre line thereof; thence along the easterly side of said railroad its several courses four thousand and eighty-two (4082) feet to the easterly side of Thirty-seventh street; thence along the easterly side of said Thirty-seventh street three thousand (3000) feet, to the water line in the dam to supply Fairmount, on the river Schuylkill; thence southerly along the said westerly water line of the river Schuylkill, its several courses and distances, to the place of beginning, excepting therefrom and thereout that part of which the Schuylkill navigation company is seized in fee, shall be vested in the city of Philadelphia, to be laid out and maintained forever as an open public place for the health and enjoyment of the people; and the councils of the city of Philadelphia are hereby empowered, within ninety days from the passage hereof, to enter upon said ground and take immediate possession thereof for the purposes aforesaid.

Valuation, and  
how paid for.

SECTION 2. That the owner or owners of said ground, by the first section hereof appropriated for public purposes, shall be paid for the same according to the value, which shall be ascertained by a jury of twelve men, appointed (either upon the petition of the city of Philadelphia or of the owners) by the district court of the county of Philadelphia, and their report upon the

same shall be final and conclusive; and a mandamus may issue, within six months after the confirmation of said report, to collect the sums awarded, if not paid meanwhile.

SECTION 3. That the chief engineer and surveyor of the city of Philadelphia shall advertise, once a week for four weeks, in five daily newspapers published in the city of Philadelphia, for plans for the improvement of said ground, in the first section hereof described; and the same, when received, shall be considered by himself, in conjunction with the mayor, commissioner of city property, and the presidents of the select and common councils, who shall approve one of them; and the designer thereof shall receive the sum of one thousand dollars.

Plans for the improvement, relative to.

Amount to be paid for approved plan.

SECTION 4. That upon the approval of the plan as provided for in the foregoing section, the commissioner of city property shall advertise for proposals for the improvement of said ground according to said plan, and shall award the contract to the lowest bidder, who shall perform the work under the supervision of the designer of the plan.

Proposals to be received for the improvement of grounds, &c.

SECTION 5. That this act shall not take effect until the councils of Philadelphia shall, by ordinance, declare their approval thereof.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 382.

## A SUPPLEMENT

To an act regulating the Fees of District Attorneys, approved the fourteenth of May, Anno Domini one thousand eight hundred and fifty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the fees to be allowed and paid to the district attorney for the city and county of Philadelphia, shall be the same as the fees allowed and paid to the prosecuting attorney for the county of

Allegheny, as provided for in the second section of the act to which this is a supplement.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 383.

## AN ACT

To authorize the appointment of Commissioners to examine and adjust Certain Claims.

Preamble.

WHEREAS, It is just and proper that the commonwealth of Pennsylvania should afford such of her citizens, as have equitable claims against her, opportunity of showing the same:

*And whereas,* The said commonwealth has certain sums of money due, and owing to her, from James J. Dull, which claims are not disputed, but the said Dull alleges that the said commonwealth is justly indebted to him, as assignee of J. K. Moorhead and Henry L. Patterson, contractors on the Allegheny Portage railroad, for work and labor done, and materials furnished to said road; therefore,

Commissioners to examine and adjust the claims.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That William Overfield, Jr., Eli Slifer and Thomas E. Cochran, be and are hereby appointed commissioners, to examine, settle and adjust the claims between the commonwealth of Pennsylvania and James J. Dull.

Duties of commissioners.

SECTION 2. The said commissioners shall, as soon as practicable, after notice, sit at Harrisburg, and proceed to perform the duties imposed upon them by this act, by hearing evidence, et cetera, and shall, after adjusting the claims of each of the said parties, strike a balance; which claims and balance they shall report to the legislature, and in case any balance shall be found to be due to the said Dull, the state treasurer shall pay the same out of any moneys in the treasury not otherwise appropriated: *Provided however,* That if the just claims of the said Dull, as proven to the said commissioners, shall exceed the sum found by them to be due and owing by the said Dull to the commonwealth, then the said commissioners shall charge the said Dull with the whole of any sum or sums of money which may be

Proviso

due to the said coramonwealth from him, as surety or co-obligor on any official bond given to the said commonwealth, reserving, however, to the said Dull, his legal remedy over against such principal, co-sureties or co-obligors: *And provided*, That the ex- Proviso.  
 pense of the commission, as created by this act, shall be paid jointly by the said Dull, and the commonwealth of Pennsylv-  
 vania: *And provided further*, That this act shall not be con- Proviso.  
 strued to authorize the said commissioners to inquire into the correctness, or validity, of the judgment obtained against said Dull in the court of common pleas of Dauphin county.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 384.

## A N A C T

To incorporate the Township Line Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That Charles Megargee, Geo. W. Carpenter, Charles Bolton, F. Carrol Commissioners.  
 Brewster, P. M'Kean, William Knight, James Wright, Joseph Carr, Owen Sheridan, James Gowen, Jacob Tyson, Benjamin T. Hallowell, Abner Bradfield, Samuel M. Hough, Thomas Jeffreys, John Naglee, William Root, William Rufner, George Blight, Henry Bruner and George M. Hill, or such of them, not less than five, who may act, are hereby appointed commissioners to open books, receive subscriptions and organize a company by the name of the Old Township Line road company, with power Name.  
 to construct a turnpike, plank or gravel road, from any point on the Lamb Tavern road to a terminus on the Germantown turn- Route.  
 pike road, and any street between Rittenhouse street and Allen street; said company may resolve upon or change, with power to use the Old Township Line road, (which commences at or near the first toll gate on the Germantown road,) or any part thereof, and any portion of the Lamb Tavern road, of Twenty-second street, or any other street or road leading from said Township Line road and Allen street, or any other street between Rittenhouse street and Allen street, in the Twenty-second ward of the city of Philadelphia; to lay out and alter the grade of the roads and streets so occupied, to stone or gravel said

road, streets, or parts thereof, and to construct bridges and causeways wherever necessary, and to do all things needful to complete said road.

Capital stock.

SECTION 2. That the capital stock of said company shall consist of three thousand shares of twenty-five dollars each; whenever subscriptions shall have been received by said commissioners, or such of them, not less than five in number, who may act as commissioners, to the extent of at least one thousand shares, on which five dollars or more per share have been paid, then the parties, so subscribing and paying, and their successors, are without further form hereby declared to be and created into a body politic and corporate, in law, by the aforesaid name, with power to sue and be sued, take, hold and convey property and estate, make by-laws, and use and change a common seal: *Provided*, That the said company may, from time to time, increase the said capital so much in their opinion as may be deemed necessary to complete the said road and to carry out the true intent and meaning of this act.

Provided.

Officers and election of.

SECTION 3. The officers of said company shall be a president, secretary, treasurer and five directors, who shall be elected by the stockholders on the first Monday of April, Anno Domini one thousand eight hundred and sixty, at such place and during such hours as may be fixed by said commissioners, or such of them, not less than five, as may be acting, and annually thereafter, at such place and during such hours as may be fixed by the directors; publication of said election shall be made twice a week for two weeks immediately preceding, in two daily papers published in said city; the directors shall have the power to fix salaries, if any, to be paid to any officers of the company.

Notice of election to be published.

May borrow money.

SECTION 4. That the said company shall have power to borrow any sum, not exceeding thirty thousand dollars, on their bonds, secured by a mortgage on the road, property and franchises of the company.

No railroad to be constructed.

SECTION 5. That no railroad shall ever be constructed on or over said road, or any part thereof, by said company or others.

Tolls.

SECTION 6. That whenever the said company shall have completed one mile or more of said road, they shall have power to erect toll gates and toll houses, and charge and receive tolls, not exceeding one cent per mile per horse, and that for each fraction of a cent in the computation of toll, the said company may charge and collect one cent.

Limitation.

SECTION 7. That if said company shall not commence the construction of said road within three years from the passage of this act, and complete the same within five years thereafter, then this act shall be null and void, except so far as the same may be necessary to settle up the affairs and pay the debts of the company.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.



No. 385.

## AN ACT

For the better securing the collection and disbursement of the Public Moneys by the Treasurer of the county of Schuylkill.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter it shall be the duty of the commissioners of the county of Schuylkill to keep accounts against the treasurer of said county, charging him with all public moneys which he shall receive for county, state, school, borough, militia and road purposes, which accounts shall be separately kept, in suitable books to be provided by said county, and under appropriate heads, for easy and convenient reference.

Commissioners to keep accounts against county treasurer.

SECTION 2. That hereafter no payment of public money to the treasurer of said county shall operate as an acquittance and discharge to the collector, or other person making, or in whose behalf the payment aforesaid is made, unless such collector or other person shall receive from said treasurer a written or printed receipt for the same, signed by said treasurer, and countersigned by at least one of the commissioners, or their duly constituted clerk; and it shall be the duty of said treasurer, at the time of receiving any such moneys aforesaid, to give notice of the same in the office of said commissioners, either to at least one of said commissioners, or their clerk, of any such payment; and that every neglect to give such notice shall be deemed a misdemeanor in office, liable to prosecution by indictment, and punishable by fine and imprisonment, and removal from office, or either, in the discretion of the court.

What shall operate as an acquittance to persons making payments.

SECTION 3. That hereafter the pay of county auditors for said county shall be two dollars to each auditor, for each day they shall be employed in attending to their official duties.

Pay of county auditors.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 386.

## A SUPPLEMENT

To an act to incorporate the Mount Airy and Lime Kiln Turnpike and Plank Road Company, approved the seventh day of May, A. D. one thousand eight hundred and fifty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the time for completing the road, provided for in the act to which this is a supplement, be and the same is hereby extended for the term of five years from the passage of this act, and the said act is hereby revived and continued in force.*

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 387.

## A N A C T

To authorize the Sugar Notch Coal Company, in Luzerne county, to borrow money.

Preamble.

WHEREAS, The Sugar Notch coal company, in the county of Luzerne, have expended the amount of their capital in the purchase of coal lands, but are unable to prepare the same for mining, without borrowing additional funds; therefore,

Authorized to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the said Sugar Notch coal company may borrow or loan, for the purpose of preparing their property for mining, the construction of any required railroads, and other incidental purposes, any sum or sums of money not exceeding fifty thousand dollars, at a rate of interest not exceeding ten per cent., and to issue bonds therefor, in amounts not less than one hundred dollars each, and for securing payment of the same, to execute a mortgage or mortgages, of all or any part of their real estate and franchises, under the seal of the corporation, and to be signed*

To execute mortgage Mo.

and acknowledged by the president, or other chief officer of said company.

SECTION 2. That if the said company prefer to issue bonds and mortgages, as now authorized by law, it shall and may be lawful for said company to sell and dispose of an amount of such last mentioned bonds, not exceeding, in the whole, sixty thousand dollars, at such rate of discount from the face, or par of same, (the said company to be taxable for the full amount or par thereof,) as the directors of such company may deem expedient and find necessary, with the view of raising funds for the purposes stated in the first section of this act.

Bonds and mortgages now authorized to be issued, relative to.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 388.

## A N A C T

For the relief of the heirs of Samuel Forbes, deceased.

WHEREAS, Martha Forbes, late of Fulton county, deceased, devised a tract of land, situate in Ayr township, in said county, to her husband, Samuel Forbes, late of said county, deceased:

*And whereas*, By the death of the said Samuel Forbes, prior to the death of the said Martha Forbes, the said real estate escheated to the commonwealth of Pennsylvania; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the title of the commonwealth of Pennsylvania, in and to the real estate devised by the said Martha Forbes to her husband, Samuel Forbes, situate in Ayr township, Fulton county, be and the same is hereby vested in the children of the said Samuel Forbes, deceased, as fully and for the same estates as the said Martha Forbes had in the same at the time of her said devise to the said Samuel Forbes.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 389.

## A N A C T

Relating to Gas Companies.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That hereafter at all elections held for the purpose of electing directors or managers of the several gas companies, duly incorporated in the county of Lancaster, a majority of said directors or managers shall be chosen from stockholders resident in the county, city, town or borough in which said companies shall have their gas works respectively located.*

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 390.

## A N A C T

Concerning Turnpike, Plank Road and Bridge Companies.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, it shall and may be lawful for the president and managers of any turnpike, plank road or bridge company of this commonwealth, by themselves, or by their authorized agent, to contract with individuals or with corporations, for the payment of tolls, not exceeding the rates fixed in their respective charters, for travel over and upon their roads and bridges respectively, and for any period of time that may be agreed upon, not exceeding one year, and whether such travel shall pass through any gate, or turnpike or otherwise; and any debt incurred under such contract, may be sued for and recovered as debts of like amount are by law recoverable.*

Contracts for  
payment of tolls,  
relative to.

SECTION 2. That it shall be lawful for any turnpike or plank road company to change the location of any part of their road, which may interfere with any grave yard or cemetery lot or lots. May change location of road.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 391.

## SUPPLEMENT

To an act to divide the borough of Scranton into two wards.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the town council of the borough of Scranton shall consist of six persons, three of whom shall be elected by each ward; and at the borough election next succeeding the passage of this act, each ward shall elect one person for councilman, who shall serve for one year, one person who shall serve for two years, and one person who shall serve for three years, who shall constitute the first town council, for said borough, under this act; and the persons elected in each ward shall severally determine the term for which they were elected, by lot, as provided by the act to which this is a supplement; and annually thereafter, at the election for borough officers, one person shall be elected by each ward for councilman, who shall serve for three years; any vacancy which may occur in said town council, may be filled by the remaining councilmen until the next election, when the same shall be supplied by an election.

Number of members of council in each ward.

Terms and election of.

SECTION 2. That at said borough election next succeeding the passage of this act, six persons shall be elected poor commissioners, three of whom shall be elected by and reside in each ward; and it shall be the duty of said commissioners to purchase land, erect the poor house, and carry out the provisions of that portion of the act, approved the seventeenth day of March, one thousand eight hundred and fifty-nine, to which this is a supplement, which provides for the erection of a poor house, for the reception and employment of the poor of said borough; and that the said commissioners be and they are hereby fully em-

Poor commissioners and election of.

Three to reside in each ward.

Poor house to be erected under provisions of certain act, &c.

**Powers of commissioners.** powered to carry out all the provisions of said act, concerning the poor tax, the purchase of land, and erection of a poor house and charge of the poor, and the making of ordinances, rules and regulations for the government, support and employment of said poor, and of the revenues derived therefrom; and that ten thousand dollars of the bonds authorized by said act, shall be delivered to said commissioners by the burgess and town council of said borough, for the purpose of carrying out the provisions of the act to which this is a supplement, as far as it relates to said poor house purposes; the said commissioners shall serve for five years from the passage of this act, during which time they shall take full charge of the poor of said borough, and shall levy and disburse the taxes, provided by law, for poor purposes, and their duties shall be performed without charge to said borough; in case of a vacancy, by resignation or otherwise, the remaining commissioners shall fill said vacancy; at the expiration of the five years aforesaid, the property under their control, and their powers and duties, shall revert to and become vested in the burgess and town council of said borough, to be managed by them, as is contemplated in the act to which this is a supplement, unless otherwise provided by law: *Provided*, That the accounts of said commissioners shall be audited by the borough auditors annually; and that said commissioners shall appoint a treasurer, who shall give bonds to the burgess and town council of said borough, for the faithful discharge of his duties, in such an amount and with such sureties as shall be satisfactory to said commissioners.

**Proviso.**

**Levying special tax, relative to.** SECTION 3. That said burgess and council shall not have authority to levy a special tax for any purpose, except as herein provided, unless submitted to a vote of the borough electors, at the annual election of borough officers, and approved by a majority of votes polled for and against such tax: *Provided*, No special tax shall be levied to exceed one per centum: *And provided*, Said council shall have authority to levy a special tax for the exclusive purpose of paying the interest on the loan authorized by the act to which this is a supplement.

**Proviso.**

**Repeal** SECTION 4. That so much of the act to which this is a supplement, as is altered or supplied by this act, or is inconsistent therewith, be and the same is hereby repealed.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.



No. 392.

## A SUPPLEMENT

To an act to incorporate the Carbon Mutual Insurance Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Carbon mutual insurance company shall have authority to reduce their capital stock to the sum of fifty thousand dollars, and to locate their company in the city of Philadelphia: Provided, That the same shall be determined by a majority of the stockholders.*

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 393.

## AN ACT

To extend the limits of the borough of Kittanning, in the county of Armstrong.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That hereafter the limits of the borough of Kittanning, Armstrong county, shall be extended so as to include the following described territory: Beginning at a post, the south-east corner of Mulberry and M'Kean streets; thence north fifty-three degrees east twenty-five perches to a post; thence by lands of Joseph Buffington south three and a half degrees east thirty-five perches to a post; thence south six degrees west six and a half perches to a post; and thence by M'Kean street north fifty-eight degrees west thirty-four perches to the place of beginning, containing two acres and eighty perches, now owned by John Scott, John Baker and John Stinemetz; and the persons now residing, or*

who may hereafter reside on said land, shall enjoy all the privileges, and be subject to all the laws relating to said borough.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 394.

## A N A C T

To enable the guardian of Mary J. Findlay to sell and convey Certain Real Estate.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* John K. Findlay, guardian of the person and estate of Mary J. Findlay, minor grand-child of Margaret C. Ogilby, late of the city of Philadelphia, deceased, be and is hereby authorized to sell and dispose of, from time to time, at public or private sale or sales, the estate, right, title and interest, part, purpart, share and dividend of her, the said Mary J. Findlay, of, in and to certain lands, situate, lying and being in the counties of Clarion, Jefferson, Forest and elsewhere in the commonwealth of Pennsylvania, or in any part or parts of said lands, and to grant and convey the same to the purchaser or purchasers thereof, in fee simple; which conveyances shall vest in such purchaser or purchasers the premises thereby conveyed, as fully and completely, and with the same effect, as if the said sales and conveyances had been made under orders of the orphans' courts of the proper counties, respectively, made agreeably to the laws of the commonwealth of Pennsylvania aforesaid, providing for the sale of the real estate of minors: *Provided, That* said guardian shall, before receiving the proceeds of any such sale, in every case, give bond to the commonwealth, with such security and in such amount as the orphans' court of the county of Philadelphia shall approve, conditioned for the faithful appropriation of the proceeds aforesaid according to law.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 395.

## A N A C T

For the payment of certain Claims.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be and he is hereby authorized and directed to pay to the following named persons, or their proper attorney or representative, the sums set opposite their names; these amounts having been found due and unpaid by reports of the auditor general, state treasurer and attorney general, and by the action of the legislature in some cases, where the same were not referred for examination and report :

To Ephraim Dallas, three hundred and twenty-five dollars.

To Alexander Dobbins, two hundred and ninety-three dollars and twenty-one cents.

To John Kelley, eight hundred and sixty-seven dollars and ninety-nine cents.

To Pharez Cassiday, one hundred and twenty-five dollars.

To Leonard Puffenberger, sixteen dollars and sixteen cents.

To William J. Robinson, eleven dollars and eighty-four cents.

To John W. Patton and Company, twenty-five dollars.

To J. W. Catterell, twenty-five dollars and thirty-six cents.

To George Kinter, thirteen dollars and thirteen cents.

To John W. Erisman, sixty-six dollars and nine cents.

To A. Greenawalt, twenty-five dollars.

To James Campbell, one hundred and eight dollars and twelve cents.

To Peter M. Gough, fifty-one dollars and five cents.

To William Gosser, fifty dollars and eighty-three cents.

To Stewart Sample, eleven dollars and sixty-eight cents.

To George Walker, seventy-five dollars.

To A. M. and R. White, two hundred and eighty dollars.

To Alexander De Armett, one hundred and four dollars and twelve cents.

To William Gaily, twenty-nine dollars and twenty-five cents.

To Henry Brown, twenty-four dollars.

To Joseph Irvin, forty-five dollars and fifty cents.

To Henry E. Hudson, sixty-five dollars.

To George W. Confer, thirteen dollars and fifty cents.

To Samuel Kennedy, two hundred and twenty-two dollars and twenty-two cents.

To Curzon and Cleckner, three hundred and ninety-seven dollars and thirty cents.

To John F. Kirkpatrick, twenty-seven dollars and twenty-eight cents.

To John Hall, one hundred and eighty dollars.

*Provided*, That if any of the claimants have been paid under previous acts, the same shall be deducted from this amount.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 396.

# A N A C T

For the relief of the Meadville, Klecknerville and Edinboro' Plank Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Meadville, Klecknerville and Edinboro' plank road company be and the same are hereby authorized to abandon so much and such parts of the line of their road, located and opened between its intersection with the public road, near the deep ravine above Magoffin's falls, and its intersection with the public road near, and above the mouth of Woodcock creek, a distance of about one mile, as may in any way be interfered with or occupied by the location, construction or use of the Atlantic and Great Western railroad, upon such terms and conditions as may be agreed upon between the president and managers of the said plank road company, and the president and directors of the Atlantic and Great Western railroad company.*

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 397.

## A N A C T

Supplementary to an act to incorporate the village of Port Carbon, in the county of Schuylkill, into a borough.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the election for borough officers of the borough of Port Carbon, in the county of Schuylkill, shall hereafter be held on the third Friday of February, by the inspectors, judges and clerks authorized to hold the general elections; and that the town council of the said borough shall hereafter make their assessments and duplicates for borough taxes, from the assessment and valuation made on property within the said borough for county rates and levies; and that so much of any act of assembly as is inconsistent with the provisions of this act, is hereby repealed.*

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 398.

## A N A C T

For the relief of Frederick Hambright, of the city of Lancaster.

WHEREAS, Frederick Hambright, in one thousand eight hundred and fifty-two, was an employee of the state on the Philadelphia and Columbia railroad, and while so employed, a heavy fall of snow obstructed the passage of trains and entirely suspended the business of the road, and that his superior officer, also in the employ of the state, detailed the said Hambright to assist in the removal of said obstruction, and while in discharge of said duty he was unavoidably exposed to extreme cold, and that his feet were frozen to such a degree that a surgical operation was necessary, which confined him to his bed for six months, and

was not able to walk for the space of one year, and is a cripple for life, having lost a portion of both feet; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the state treasurer be and he is hereby authorized and directed to pay to Frederick Hambright, of the city of Lancaster, out of any moneys not otherwise appropriated, the sum of one thousand dollars, as full compensation for labor performed and injuries sustained in the service of the commonwealth.*

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 399.

## A N A C T

To incorporate the Brownsburg Delaware Bridge Company.

Preamble.

WHEREAS, It is represented to the legislature, by the petition of a number of the inhabitants of the county of Bucks, that the erection of a bridge over the Delaware river, at Brownsburg, would be a great convenience and accommodation to the public; therefore,

Capital stock.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the capital stock of the Brownsburg Delaware bridge company shall amount to twenty thousand dollars, with the privilege of increasing the same to twenty-five thousand dollars, and the same shall be divided into shares of fifty dollars each; and the subscribers to the said capital stock shall pay the sum or sums of money for the share or shares by them respectively subscribed, at such periods and in such proportions as the president and directors of the said company may determine.*

Commissioners.

SECTION 2. That Stacy Brown, John A. Beaumont, James M'Nair and John Eastburn be and they are hereby appointed commissioners on the part of this state, who, with commissioners to be appointed by the state of New Jersey, shall be authorized to receive subscriptions to the said capital stock, at such times and places as they, or a majority of them, may direct, giving notice thereof in two newspapers printed in the county of Bucks,

Subscriptions to  
stock, relative to.



in this state, and in two newspapers printed in the county of Mercer, in the state of New Jersey, for twenty days at least, of the time and places when and where the said subscription shall be received; and at the time of subscribing for the said stock, five dollars shall be paid, upon each share subscribed for, to the commissioners, or some of them; which money shall be paid over to the treasurer of the company as soon as one shall be appointed, and that the residue of the subscriptions shall be paid in such instalments, and at such times and places, and to such persons as the president and directors of the company shall from time to time direct, and give public notice of; and upon failure of payment thereof, as so directed, for thirty days thereafter, the said president and directors shall have power to forfeit the shares of each and every person failing to pay the said instalments, or any of them, to and for the use of the said company: *Provided*, That if the number of shares subscribed for shall exceed the amount or number of shares authorized by this act to be subscribed for, that then the said commissioners shall apportion the said stock among such stockholders, in proportion to the amount or number of shares by them subscribed as aforesaid.

Proviso.

SECTION 3. That when three hundred shares are subscribed for, the persons holding the same shall be and they are hereby incorporated into a company, by the name of the Brownsburg Delaware bridge company; and by that name shall have perpetual succession, and all the privileges and franchises incident to a corporation; and shall be capable of taking and holding their said capital stock, and the increase and profits thereof; and of purchasing, taking and holding, to them, and their successors and assigns, in fee simple or for any less estate, such lands as may be necessary in the erection of said bridge and suitable toll houses, and of suing and being sued.

When to be incorporated into a company.  
Name.

SECTION 4. That as soon as three hundred shares of the said capital stock shall be subscribed as aforesaid, it shall be the duty of the said commissioners to give notice, in two or more of the newspapers printed in the county of Bucks, in the state of Pennsylvania, and the county of Mercer, in the state of New Jersey, of a time and place by them to be appointed, not less than thirty days from the time of issuing the said notice, at which time and place the said stockholders shall proceed to organize the said company, and shall choose by ballot, by a majority of votes, to be delivered in person or by proxy, one president, six directors, one secretary and one treasurer, and such other officers as they shall think necessary to conduct the business of the said company until the next annual election, and shall make such by-laws and regulations, not inconsistent with the laws and constitution of this state or of the United States, as shall be necessary for well ordering the affairs of the said company: *Provided*, That no person shall have more than twenty votes at an election, and that each person shall be entitled to one vote for every share by him held not exceeding ten, and one vote for every two shares above ten and not exceeding twenty, and one vote for every five shares above twenty, until the number of votes amounts to twenty.

When company to be organized.  
Published notice of to be given.

Election of officers.

Proviso.

**Annual election.** SECTION 5. That the said stockholders shall meet on the first Monday in January in every succeeding year, at such place as shall be fixed by the by-laws of said company, for the purpose of electing officers for the ensuing year.

**Certificates of stock, relative to** SECTION 6. That the president and directors first to be chosen as aforesaid, shall issue certificates of stock to the several stockholders respectively, signed by the president and countersigned by the treasurer of the said company, which certificates shall be transferable at his or her pleasure, in person or by attorney, subject, however, to the payments due and may grow due thereon; and the assignee holding any certificate, having first caused the assignment and transfer to be entered in a book of the company to be kept by the treasurer for that purpose, shall, for every share of stock so held by him or her, be entitled to his or her equal proportion of the said capital stock, and of all the estates and emoluments of the company, to vote as aforesaid, at the meetings thereof.

**Times and places of meeting of directors.** SECTION 7. That the said president and directors shall meet at such times and places, and be convened in such manner as shall be agreed on for transacting their business; at such meetings

**Quorum.** five members shall be a quorum, who, in the absence of the president, may choose a chairman, and shall keep minutes of all their transactions, fairly entered in a book by the secretary; and

**Power of directors. &c.** a quorum being met, they shall have full power and authority to agree with and appoint such engineers, superintendents, artists and other officers as they shall think necessary to carry on said bridge, and complete the same, and fix their salaries and other wages, to determine the time, manner and proportions in which the stockholders shall pay the money due on their respective shares, to draw orders on the treasurer for all money that may be required, the same to be signed by the president and attested by the secretary of the board, and to do and transact all matters and things as by the by-laws or regulations of the said company shall be lawful.

**Site and erection of bridge.** SECTION 8. That after the place for the erection of the said bridge shall be fixed, and before the said president and directors shall proceed to erect the same, it shall and may be lawful for

the said president and directors to contract and agree with the owner or owners of any lands and tenements, for the purchase of so much thereof as shall be necessary for the purpose of erecting and perfecting the said bridge, and making and establishing all the necessary works and roads to and from the same, if they can agree with the owner or owners of the same; but in case they cannot agree, then it shall and may be lawful for the president and directors to apply to one of the judges of the supreme court of this state, not being a stockholder or otherwise interested, who, upon such application, is hereby authorized and directed to appoint three discreet and disinterested freeholders of this state, who, after being duly sworn or affirmed before any justice of the peace faithfully to perform the duties enjoined upon them by this act, shall proceed to view and examine said banks, and all such lands and tenements as shall be necessary for the purpose of erecting and perfecting said bridge, and making and establishing all necessary works and roads to and from the same; and shall, according to the best of their skill and judg-

**Settlement of damages for land, &c. relative to.**

ment, ascertain and estimate the injury and damage that will be sustained by the owner or owners of such lands and tenements so necessary to be taken as aforesaid, and shall report what sum shall be paid by the said company for the same; which report shall be made in writing, under their hands and seals, or under the hands and seals of any two of them, and shall return the same, together with a map describing the metes and bounds of such lands and tenements, to the supreme court next after they shall have agreed upon and signed the same; and the said report, having been confirmed by the supreme court, shall be filed in the clerk's office of the said court, with the map aforesaid; and the said president and directors having paid the said owners, respectively, the several sums awarded to be paid to them in and by the said report, together with the fees of the said arbitrators, at the rate of two dollars to each for every day employed in the said business, and their necessary expenses, the said company shall be entitled to have and to hold, to them and their successors and assigns forever, the said lands and tenements, as fully and effectually as if the same had been granted to them by the respective owners thereof; and it shall and may be lawful thereupon, and not before, for the said president and directors to enter upon the said lands and tenements, and to commence and to complete the erection of the said bridge.

SECTION 9. That it shall and may be lawful for the president and directors aforesaid, their superintendents, engineers and artists of every kind, to enter into and upon all lands and enclosures near to the place where the said bridge is to be built, and examine the ground for the purpose of obtaining stone, gravel or sand for the building of the said bridge; and shall and may be lawful for the said president, directors, overseers, superintendents, or any other person, in building the said bridge, to enter with wagons, carts, sleds or sleighs, or beasts of burden or draught of any kind whatsoever, first giving notice to the owners, doing as little damage as possible, and repairing any breaches of fences they may have occasion to make, and first making amends for any damage that may be done; which damage shall be ascertained by the parties, if they can agree, or if they cannot agree, then by the appraisement thereof, to be made upon oath or affirmation of three disinterested freeholders of the neighborhood, or any two of them, to be mutually chosen; or if the owner, or president and directors, superintendents, engineers or artists, upon due notice, shall neglect or refuse to join in the choice, then the said freeholders to be appointed by any justice of the peace of the county, not interested on either side; and the said president and directors, or other persons by them employed as aforesaid, after tender of the appraised value to the owner, may enter, and dig and carry away any stone, gravel, sand or earth, most conveniently situated for making and repairing said bridge.

Authorized to enter upon lands to obtain materials for constructing bridge, &c.

SECTION 10. That the president and directors of the said company shall keep fair and just accounts of all moneys received by them from the said commissioners and from the stockholders, and of the profits on shares that may be forfeited, as aforesaid, and of all voluntary contributions, and, also, of all moneys by them expended in the prosecution of the said work, and shall

To keep fair and just accounts of all moneys.

To be submitted to each annual meeting. submit such accounts to each annual meeting of the stockholders.

When the property of the bridge to be vested in the company.

Tolls.

Proviso.

Proviso.

Injury to property. penalty for.

Bridge to be kept in good order, &c.

Proviso.

SECTION 11. That when a good and complete bridge is erected over the said river Delaware, at the place aforesaid, the property of the said bridge shall be vested in the said company, their successors and assigns, forever; and the said company, their successors and assigns, may demand and receive toll from travelers and others, not to exceed the following rates: For every coach, landau, chariot, phaeton, or other pleasureable carriage with four wheels, drawn by four horses, the sum of sixty cents; for the same kind of carriage with two horses, the sum of forty cents; for every wagon with four horses, the sum of fifty cents; for every carriage of the same description, drawn by two horses, forty cents; for every chaise, riding chair, sulky, cart, or other two wheel carriage, or a sleigh or sled, with two horses, the sum of thirty cents; for the same with one horse, the sum of fifteen cents; for a single horse and rider, the sum of ten cents; for every led or driven horse or mule, the sum of five cents; for every foot passenger, the sum of two cents; for every head of horned cattle, the sum of three cents; for every sheep or swine, the sum of one cent: *Provided*, That all persons going to and returning from funerals, persons going to and returning from meeting or church on the Sabbath, children going to and returning from school, all persons going to or returning from military trainings or parade, shall pass free of toll: *Provided also*, That fixing the toll of all carriages drawn wholly by oxen, or partly by horses and partly by oxen, two oxen shall be estimated equal to one horse; and the said company shall so erect the said bridge as in nowise to injure, stop or interrupt the navigation of the said river, or prevent boats or craft from passing, or persons from fording the said river.

SECTION 12. That if any person or persons shall wilfully cut or destroy, break or remove from off the said bridge, or any part thereof, any piece or pieces of timber, plank or planks, stone or stones, chain or chains, bolt or bolts, or any other material whatsoever belonging to said bridge, or otherwise wilfully or maliciously damage the same, he, she or they so offending, shall forfeit and pay for every such offence, over and above the damages done to the said bridge, the sum of thirty dollars, to be recovered before any justice of the peace in the county of Bucks, in the state of Pennsylvania, or the county of Mercer, in the state of New Jersey.

SECTION 13. That if the said company, their successors and assigns, and whosoever shall own or possess the said bridge, shall collect or demand any greater rate or prices for the passing over the said bridge than what are hereinbefore prescribed and specified, or shall neglect to keep the said bridge in good order and repair, he, she or they so offending, for every such offence, forfeit and pay the sum of thirty dollars, one-third thereof for the use of the poor of the county of Bucks, in the state of Pennsylvania, and one-third thereof to the use of the poor of the township of Hopewell, Mercer county, in the state of New Jersey, and the other third to the use of the person who may sue for the same: *Provided always*, That no suit or action shall be

brought unless within sixty days after such offence shall be committed.

SECTION 14. That the said president and directors and company shall also keep a just and true account of all and every the moneys received by their respective collector or collectors of toll, for crossing the said bridge; and shall make and declare a dividend of the profits and income thereof among all the stockholders of the said company, deducting first therefrom all contingent costs and charges, and such proportion of said income as may be deemed necessary for a growing fund, to provide against the decay and for the re-building and repairing the said bridge; and shall on every first Monday in January and July, in each and every year, publish the dividend to be made of the said clear profits thereof amongst the stockholders, and the time and place when and where the same shall be paid, and shall cause the same to be paid accordingly.

To keep account of all moneys received, &c.

Dividends.

SECTION 15. That this act shall not take effect or go into operation until the legislature of the state of New Jersey shall pass a law appointing commissioners on their part, vesting like power and authority in the subscribers to the said capital stock, of erecting a bridge at the place aforesaid, and of extending the same from shore to shore, with as full and ample powers, privileges, franchises and emoluments, as to the said company are hereby given.

Assent of the legislature of New Jersey to be had.

SECTION 16. That nothing in this act contained shall be so construed as to authorize the said bridge company to exercise any banking privileges, or to issue any bank note or notes in the nature of bank notes; and the legislature reserves the right of altering, amending or annulling the charter whenever they think proper.

Construction.

SECTION 17. That the president and directors may and shall have power and authority, instead of forfeiting shares for non-payment of instalments, of enforcing the payment of all instalments due, as other debts of similar amounts are recovered, as to them may be deemed best.

Instalments, relative to enforcement of payment of.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The eighth day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.



No. 400.

## AN ACT

To provide for the re-organization of the Pittsburg, Fort Wayne and Chicago Railroad Company.

*SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

Purchasers to be  
a body politic  
and corporate.

in case the railroad of the Pittsburg, Fort Wayne and Chicago railroad company, or any part thereof, shall be sold by virtue of any mortgage or mortgages or deed or deeds of trust, either by foreclosure or other proceedings in law or in equity, or by advertisement, in pursuance of a power or authority in such mortgage or mortgages, or deed or deeds of trust, contained, the person for or on account of whom the purchase or purchases at any such sale or sales shall have been made, or the survivors of them, shall be and they are hereby constituted a body politic and corporate in deed and in law, and they shall meet in the city of

When and where  
to meet.

Pittsburg within thirty days after the conveyance or conveyances shall have been delivered to such purchasers, and elect directors, notice of such meeting and election, signed by pur-

Election of direc-  
tors.

chasers at said sale or sales, or the survivors of them, and published in two daily newspapers in said city for five days previous to the said meeting, having been given; at which first election all the persons for or on account of whom the said purchase or pur-

Votes.

chases shall have been made, shall be entitled to vote in the proportion of one vote to each one hundred dollars of par value which they may have contributed, in bonds entitled to distributive shares in the proceeds of such sale or sales, or in cash, towards the said purchase or purchases; and all persons holding bonds secured by any mortgage or trust deed, prior in lien to those by virtue of which such sale or sales shall have been made, shall also be entitled to one vote for every one hundred dollars of the par value of the said bonds by them respectively held; and the said election may be made by such of the aforesaid persons as may attend the same, or be represented thereat by proxy;

Regulations and  
by-laws.

and the said meeting may adopt such regulations and by-laws as they may deem proper, for the organization of the said corporation; and the number of directors may be then fixed, subject to be afterwards altered, at any annual meeting of the stockholders; and the directors so elected, shall continue such until the next annual meeting, the time for which may also be fixed as aforesaid; and at least three-fourths of the directors of the said company shall be residents of the states within which said road is located; and it shall be the duty of such corpora-

Certificate of or-  
ganization to be  
filed in office of  
secretary of com-  
monwealth.

tion, within thirty days after its organization, to make a certificate thereof, under its common seal, attested by its president and secretary, specifying the date of such organization, and the names of its directors, and to transmit the said certificate to the secretary of the commonwealth, at Harrisburg, to be filed in



his office ; and a certified copy thereof shall be evidence of the existence of the said corporation, and of its formation pursuant to this act.

SECTION 2. The said corporation, formed pursuant to this act, shall have power to acquire by purchase, or otherwise, and to hold, use and enjoy the Pittsburg, Fort Wayne and Chicago railroad, and each and every part thereof, whether situate within or without this commonwealth ; and all equipment, machinery, tools and materials ; all lands, property, franchises, rights and things connected therewith, or necessary or convenient to the use thereof, together with the tolls, income, rents, issues and profits of the same ; and shall have power to maintain and operate the same as fully as might have been done by the Pittsburg, Fort Wayne and Chicago railroad company ; and to erect new depots, stations and other buildings, and connect the same with the said railroad, and to acquire and hold lands for the said and other needful purposes ; and the said corporation shall also possess all the faculties, powers, authorities, immunities, privileges and franchises, at any time held by the said Pittsburg, Fort Wayne and Chicago railroad company, or by any of the corporations heretofore consolidated into the said company, or conferred on the said company or the said corporations, or either of them, by any act or law of this commonwealth, or of the states of Ohio, Indiana or Illinois ; and shall have power and capacity to hold and exercise, within each and every of the said states, all the said faculties, powers, authorities, privileges and franchises, and all others which may hereafter be conferred upon it by or under any law of this commonwealth ; and to hold meetings of stockholders and directors, and do all corporate acts, and all things within any of the aforesaid states, as validly as it might do the same within this commonwealth ; and the said corporation, formed pursuant to this act, shall also have power to create and issue capital stock, in shares of one hundred dollars each, and to such aggregate amount as it shall deem necessary to carry out the objects of this act ; and may establish preferences, in respect to dividends in favor of one or more classes of the said stock, in such order and manner, and to such extent, as it may deem expedient, and may confer on holders of any bonds, which it may issue or assume to pay, such rights to vote at all meetings of stockholders, not exceeding one vote for every one hundred dollars of the par amount of the said bonds, as may by it be deemed advisable, which rights, when once fixed, shall attach to and pass with such bonds, under such regulations as the by-laws may prescribe to the successive holders thereof, but shall not subject any holder to any assessment by the said company, or to any liability for its debts, or entitle any holder to dividends ; and the said corporation may make and issue its bonds, of not less denomination than one hundred dollars each, payable at such times and places, and bearing such rates of interest as it may deem expedient ; and may hypothecate or sell such bonds, within or without this commonwealth, at such prices as it may deem proper: *Provided nevertheless*, That, except within six months after the organization of the said company, no bonds shall be created, nor shall any debt be contracted exceeding in the aggregate, at any one time, five per cent. on the par

Powers and privileges.

Proviso.

Issuing bonds  
and contracting  
debts, relative  
to.

amount of the capital stock of the said company, unless the same shall have been previously authorized by a vote of two-thirds in interest of the stock and bondholders, at a meeting duly held; and the said corporation may secure the payment of any bonds which it may make, issue or assume to pay, by a mortgage or mortgages, or deed or deeds of trust of its railroad, or of any part or parts thereof, or any of its real estate; and may include in any such mortgage or mortgages, or deed or deeds of trust, any locomotives, cars and other rolling stock, or equipments, and all machinery, whether then held or thereafter to be acquired, for the constructing, operating, repairing or replacing of the said railroad, or any part thereof, or any of its equipments or appurtenances; all of which property and things so included, and all fixtures or appurtenances, whether then possessed or thereafter to be acquired, shall be subject to the lien and operation of every such mortgage or deed of trust, and may also include all franchises held by the said corporation, and connected with or relating to the said railroad, and all corporate franchises of the said company; which said franchises are hereby declared, in case of sale by virtue of any such mortgage or mortgages, or deed or deeds of trust, to pass to the purchasers, so as to enable them to form a corporation, in the manner herein prescribed, and to vest in such corporation all the faculties, powers, authorities, immunities, privileges and franchises conferred by this act; and the said corporation may do all things which may be necessary or convenient to carry into full effect the powers hereby granted; and the powers hereby conferred, may be exercised by the directors thereof.

Liabilities, &c.,  
against the  
Pittsburg, Fort  
Wayne and Chi-  
cago railroad  
company.

SECTION 3. That the said corporation, formed pursuant to this act, shall, within six months after its organization, likewise have power to assume such debts, liabilities and claims against the said Pittsburg, Fort Wayne and Chicago railroad company, and make such settlements or adjustments with any of the stockholders, or other parties interested therein, as it may deem proper; and for the said purposes to use such portion of the stock or bonds, hereby authorized to be created, and in such manner as it may deem necessary.

Acceptance of  
new stock by  
municipal cor-  
porations.

SECTION 4. That full authority is hereby given to the corporate authorities of the several county, township, city, village or other municipal corporations, owning or holders of stock in the said company, and to all persons holding the same in any fiduciary capacity, to accept and receive, under the re-organization, such portion of the new stock as may be apportioned to the stock so owned and held.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 401.

## A SUPPLEMENT

To the act incorporating the Marshall Savings Institution of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act, passed April twelfth, one thousand eight hundred and fifty-nine, entitled "An Act to confer on certain associations of the citizens of this commonwealth the powers and immunities of corporations and bodies politic in law, and to confirm charters heretofore granted," shall be extended to include the Marshall savings institution of Philadelphia, except those sections which are incompatible with its present charter.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 402.

## A FURTHER SUPPLEMENT

To the act, entitled "An Act relative to Agencies of Foreign Insurance, Trust and Annuity Companies," approved April ninth, one thousand eight hundred and fifty-six.

WHEREAS, The county of Wayne, by reason of its limited area and small population, is deprived of the benefit of said act, as no foreign insurance, trust or annuity company will pay the license fee required by said act; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the agent or agents of any such company or companies for the county of Luzerne, having complied with the terms of said act, shall be authorized to do business for such company or companies in said county of Wayne, and with like effect, and as

fully as if the same were done in his or their proper county : *Provided*, That any party insured by any such agent or agents, within the county of Wayne, may prosecute any claim, growing out of such insurance, against such company or companies, in the common pleas of Wayne county ; and in such case process shall, for such purpose, extend to Luzerne county, and be served on such agent or agents residing therein.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 403.

## A N A C T

Supplementary of an act, entitled “ A supplement to an act to incorporate the Island, in Conemaugh township, Cambria county, into a borough, to be called Conemaugh, and for other purposes.”

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the boundaries of the borough of Conemaugh, in the county of Cambria, be and they are hereby enlarged as follows, to wit : Beginning at stones at the east corner of the borough of Johnstown ; thence south twenty-one degrees west twelve perches to stones ; thence south sixty-eight degrees east forty-four perches to stones ; thence south thirteen degrees east forty-nine perches to stones ; thence south fifty-three degrees east ninety-three perches to stones ; thence north eleven degrees west one hundred and twelve perches to stones near the Conemaugh river ; thence down along said river south seventy degrees west to the original beginning corner, at the feeder dam of the boundary line of said borough of Conemaugh ; and the land included in the above mentioned limits is hereby made part and parcel of the said borough, as fully as if it had been included in the act incorporating the same.*

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 404.

## AN ACT

To incorporate the Western Soup Society.

WHEREAS, There has been in the city of Philadelphia, for many years past, a voluntary association, known by the name of the Western soup society, having for its object the gratuitous distribution of the necessaries of life among the poor:

*And whereas,* It would be more convenient for the said association to manage its affairs, and take care of its property, if clothed with corporate powers; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That James R. Greeves, Mordecai L. Dawson, Marmaduke C. Cope, Samuel Bettle, junior, William Bettle, George Vaux and Joshua W. Ash, and their associates, and such other persons as may hereafter become members of the corporation hereby created, according to the rules, regulations and by-laws by the said corporation regularly passed and adopted, shall, and they are hereby declared to be a body corporate and politic, in deed and in law, under the name, style and title of the Western soup society; and by the same shall have perpetual succession, and be able and capable to sue and be sued, implead and be impleaded in all courts of record and elsewhere, and to purchase, take, have, hold and enjoy, to them and their successors, all lands, tenements, goods, chattels and estates, real and personal, of what kind, quantity or quality, the same may be, and the same or any part or parts thereof, from time to time, to grant, bargain, sell and convey, alien, mortgage or let on ground rent, as the said corporation may in its discretion think best for the interests of the said corporation; may, and also to have and make a common seal, and the same to alter and renew at pleasure; and also to appoint such officers, and to ordain, establish and carry into execution, such by-laws, ordinances and regulations as shall appear necessary and convenient for the government of said corporation, not being contrary to the constitution and laws of the United States or of this commonwealth, and generally to do and perform all other acts, matters and things necessary for the due ordering and management of the affairs thereof: *Provided,* That the clear annual income of the said corporation, other than from real estate, shall not exceed two thousand dollars.

SECTION 2. That all real and personal property belonging to the present voluntary association, known by the name of the Western soup society, or which may hereafter come to or belong to it, is hereby transferred to, and vested in the corporation hereby created, its successors and assigns.

SECTION 3. That this act shall not take effect until the provisions thereof shall have been accepted by the Western soup society, at a meeting called for that purpose, upon ten days'

Preamble.

By-laws.

Style.

Powers.

Proviso.

Transfer of property.

When this act to take effect.

Notice of acceptance, when to be filed. notice, published in two papers in the city of Philadelphia, and a certificate of such acceptance, verified by the signature of the secretary of such meeting, shall have been filed in the office of the secretary of this commonwealth.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 405.

## AN ACT

To repeal the fifth section of an act supplementary to an act to consolidate and amend the several acts relative to a General System of Education by Common Schools, passed the thirteenth day of June, one thousand eight hundred and thirty-six, and for other purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the fifth section of an act, approved tenth April, one thousand eight hundred and forty-one, supplementary to an act, entitled "An Act to consolidate and amend the several acts relative to a general system of education by common schools," passed the thirteenth day of June, one thousand eight hundred and thirty-six, and for other purposes, be and is hereby repealed.*

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.



No. 406.

## A N A C T

To extend the time for Fishing in the Monongahela river, in the county of Washington.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the act restricting the time for fishing in the Monongahela river, in the county of Washington, be and the same is hereby extended to the months of April, May and September.*

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 407.

## A N A C T

Authorizing the Burgess and Town Council of the borough of Conshohocken to widen Fayette street, in said borough.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the burgess and town council of the borough of Conshohocken, in Montgomery county, shall have power to widen Fayette street, on the south-east side thereof, from Hector street to Front avenue, to the same width as it is above said Front avenue, whenever they shall deem it advantageous to said borough and its citizens.*

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 408.

## A N A C T

To authorize the State Treasurer and Auditor General to examine certain Claims.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the state treasurer and auditor general are hereby authorized to examine the claim of William T. Fieles, of Parkesburg, Chester county, for damages done to his cars on the Philadelphia and Columbia railroad, during the years of one thousand eight hundred and fifty-three and one thousand eight hundred and fifty-four, and report the same to the next legislature.*

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 409.

## A N A C T

Relating to the Philadelphia and Reading Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That it shall not be lawful for the Philadelphia and Reading railroad company, in any case where said company has paid or may hereafter pay any sums to the holders of their bonds, issued by lawful authority, and secured by mortgage, to procure an extension of time for the payment thereof, to allege in any proceeding at law or in equity, that such payments were usurious, and such payments shall be held and taken to be lawful and not usurious: Provided, That this act shall not apply to any*

case decided, or to any suit now pending in respect to such bonds or the interest thereon.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 410.

## AN ACT

To prevent the destruction of Deer in the county of Carbon.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That for the term of three years from and after the passage of this act, it shall not be lawful for any person or persons to hunt, kill or destroy any buck, doe or fawn, in the county of Carbon; and after the expiration of said term, it shall not be lawful to hunt, kill or destroy any buck, doe or fawn, except only between the first day of October and the first day of December, of each year.

Deer not to be killed for the term of three years, &c.

SECTION 2. Any person or persons offending against the provisions of this act, shall, upon conviction thereof, before any justice of the peace of said county of Carbon, forfeit and pay a fine of not less than twenty dollars, one half of which shall go to the informer, and the other half to the treasury of said county, or in default of the payment thereof, to undergo an imprisonment in the county jail of said county for a term not exceeding twenty days: *Provided*, That the prosecution is brought within thirty days after the offence was committed.

Penalty for offending against this act.

SECTION 3. Upon any prosecution commenced under this act, possession of the fresh skin or carcass of a deer during any portion of the year, except during the months of October and November, shall, in the absence of better evidence, be sufficient to warrant a conviction under the provisions of this act.

Proviso.

Evidence to warrant a conviction

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 411.

## A N A C T

To authorize the Electors of Connellsville borough to elect two Street Commissioners.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the qualified electors of the borough of Connellsville, in the county of Fayette, shall, at their next annual election, and at every annual election thereafter for borough officers, elect, in addition to the officers now authorized by law, two persons to serve as street commissioners of said borough, to serve for one year, or until their successors shall be legally elected; subject to the orders and directions of the town council of said borough.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 412.

## A N A C T

For the relief of Daniel Lepley, late Collector of Larimer township, Somerset county.

WHEREAS, Daniel Lepley, collector of state and county taxes and militia fines for the township of Larimer, in the county of Somerset, for the year one thousand eight hundred and fifty-seven, has become responsible for the sum of twenty-nine dollars militia fines, assessed against persons employed at the Sandpatch tunnel of the Pittsburg and Connellsville railroad, in said township, and which persons were not permanent citizens of said township, and owing to the sudden suspension of said work, and the removal of persons therefrom, made it impossible to collect the said militia fine:

*And whereas,* It would be wrong and unjust that he should be compelled to pay the same; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the commissioners of Somerset county are hereby authorized and directed to exonerate the said Daniel Lepley from the payment of the said twenty-nine dollars.*

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 413.

## A N A C T

To reduce the number of Aldermen in the Twenty-fourth ward of the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That after the passage of this act, the aldermen now in commission in the Twenty-fourth ward, city of Philadelphia, shall be reduced in number to six, as their commissions respectively expire, and those hereafter to be elected, shall, in the same way and manner, be elected as heretofore ; any act or acts hereby altered or supplied, that are inconsistent herewith, be and the same are hereby repealed.*

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 414.

## A SUPPLEMENT

To an act to incorporate the town of Jefferson, in the county of Cambria, into a borough, to be called the borough of Wilmore, approved the tenth day of February, one thousand eight hundred and fifty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the township of Summerhill and the borough of Wilmore, both in the county of Cambria, shall be and they are hereby declared separate and distinct school districts; and so much of the act, passed the tenth day of February, one thousand eight hundred and fifty-nine, entitled "An Act to incorporate the town of Jefferson, in the county of Cambria, into a borough, to be called Wilmore," as constitutes the said township of Summerhill and borough of Wilmore a school district, be and the same is hereby repealed.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 415.

## AN ACT

Declaring Colwell creek, in Warren county, a public highway.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Colwell creek be and hereby is declared a public highway, from its mouth to where the Enterprise and Mulingar road crosses.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.



## No. 416.

## A FURTHER SUPPLEMENT

To an act to regulate the sale of Intoxicating Liquors, approved the thirty-first day of March, Anno Domini one thousand eight hundred and fifty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* from and after the passage of this act, the keepers of eating and beer houses and restaurants, shall be licensed by the several courts of quarter sessions of the respective counties in the commonwealth, in the same manner and subject to the same restrictions that keepers of hotels, inns or taverns are licensed: *Provided, That this act shall extend only to the counties of Mont-* Eating and beer houses, how licensed in certain counties.  
gomery and Schuylkill. Proviso.

SECTION 2. That all laws inconsistent herewith, be and the same are hereby repealed, so far as the same applies to said counties: *Provided, That all persons who may have violated* Repeal.  
any of the existing laws, relating to the sale of domestic wines, malt and brewed liquors, and are prosecuted therefor, shall be dealt with according to the laws existing prior to this act: *Pro-* Proviso.  
*vided, That this act shall not extend to eating houses, where no* Proviso.  
malt, brewed or spirituous liquors are sold.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

## No. 417.

## A N A C T

To abolish the office of Sealer of Weights and Measures in Lebanon, Adams, Washington, Cumberland and Perry counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

the provisions of an act, passed the fifteenth day of April, one thousand eight hundred and fifty-five, entitled "An Act authorizing the secretary of the commonwealth to distribute copies of the standard weights and measures, and for the appointments of sealers," be and the same are hereby repealed, so far as the same relate to the counties of Lebanon, Adams, Washington, Cumberland and Perry.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 418.

## AN ACT

To provide for the election of School Directors in the Twenty-fourth ward, Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That in lieu of the mode now prescribed by law for electing school directors in the Twenty-fourth ward of the city of Philadelphia, the manner of electing school directors in said ward shall hereafter be as follows, to wit: On the first Tuesday in May next, and in every year hereafter, the qualified voters of the first and fourth election divisions each shall elect two school directors; and the qualified voters of the second, third, fifth, sixth, seventh, eighth and ninth election divisions each shall elect one school director, whose term of office shall be for three years.*

Mode of electing  
school directors  
changed.

Directors elected  
prior to the pas-  
sage of this act,  
relative to terms  
of.

SECTION 2. School directors elected in the said ward prior to the passage of this act, shall serve in the election division or district in which they reside, until the expiration of the terms for which they were severally elected.

Vacancies, how  
supplied.

SECTION 3. That every vacancy in the board of school directors of said ward, caused by death, resignation, removal from the ward or otherwise, shall be filled by the remaining directors of the election district in which such vacancy occurred, until the next municipal election, when the qualified voters of such election district shall elect a director for the unexpired term caused by said vacancy.

SECTION 4. All former acts, conflicting with or contrary to Repeal.  
this act, be and the same are hereby repealed.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 419.

## AN ACT

For the laying out of a road from Corsica, in the county of Jefferson, to the  
borough of Curllsville, in the county of Clarion.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* C. Rechart and John R. Clover, of the county of Clarion, and Commissioners.  
S. P. Barr, of the county of Jefferson, be and they are hereby appointed commissioners to view and lay out, and mark a state road, beginning at Corsica, in the county of Jefferson, via Route.  
the east and west line of John Begley's farm, to the borough of Curllsville, in the county of Clarion.

SECTION 2. That it shall be the duty of said commissioners, Commissioners to  
or a majority of them, after having been sworn or affirmed according to law, before some justice of the peace, who shall file be sworn, duties  
the same in his office, to perform the duties enjoined on them of, &c.  
by this act with impartiality and fidelity, carefully to view the ground over which the road by them laid out shall pass, and lay out the same as near to a straight line between the aforesaid points, as the nature of the ground and circumstances will permit, and so that the vertical departure from a horizontal line shall in no point exceed five degrees, except at crossing ravines and streams, where, by moderate filling and bridging, the declination of the road may be preserved within that limit; and further, it shall be the duty of said commissioners to have due regard to the crossing of waters, the nature of the ground, and damages to private property, and all other circumstances that may affect the route, so that by a judicious combination of them, the route Route.  
adopted may best promote the public good; and that they shall clearly and distinctly mark upon the ground the route agreed upon, in such a manner as to enable the supervisors readily to find the same; and for the purpose of fulfilling the duties in this act enjoined, the commissioners herein mentioned shall receive

- Compensation. a per diem allowance of one dollar and fifty cents each day, for every day they shall be necessarily employed in performing the duties enjoined by this act; and in case any of said commissioners shall perform the duties of surveyor, he shall receive fifty cents per day in addition; and said commissioners are hereby authorized to employ one surveyor at two dollars per day, one axeman and two chain carriers at one dollar per day.
- Draft to be made. SECTION 3. That it shall be the duty of the said commissioners to make out a draft of the location of said road, noting thereon the courses and distances as they occur, the improvements passed through, and also the crossing of county and township lines, roads and waters, with such other matters as may serve for explanation; one copy of which shall be deposited in office of the secretary of the commonwealth, on or before the first day of January next, and one copy in the clerk of the court of quarter sessions of the respective counties through which the road passes, on the day aforesaid, or as much sooner as practicable, which shall be a record thereof; and from thenceforth the said road shall be to all intents and purposes, a public highway, and shall be opened and repaired in all respects as roads are opened and repaired which are laid out by order of courts aforesaid, and damages by the owners of private property shall be assessed and paid in the same manner: *Provided*, That the counties through which the said road shall pass shall not be held, or in any manner bound, to pay any damages on account of the laying out or opening up of the said road, nor shall either of said counties be bound for the payment of any of the expenses of laying out the same; but all such expenses shall be paid by persons who own the land through which the said road passes, and who are in favor of locating and opening out the same.
- Where filed.
- Proviso.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 420.

## A N A C T

Supplementary to an act incorporating the Shaefferstown Academy.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

the trustees of the Shaefferstown academy be and the same are hereby authorized to sell and dispose of, at public sale, all the property, personal and real, belonging to said corporation; and the moneys arising from such sales shall be applied to the payment of the legal debts and liabilities of the same. <sup>Property may be sold.</sup>

SECTION 2. That the following named trustees, viz: George F. Miller and John Weise, are empowered to execute title of conveyance to such person or persons who may purchase the same. If the trustees herein mentioned fail to comply with the provisions of this act, it shall be lawful for the board of trustees to appoint two out of their board to execute title, agreeably to the provisions of this act. <sup>Trustees to execute title.</sup>

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 421.

## A N A C T

To legitimate Mary Allen, of Fayette county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Mary Allen, illegitimate child of Matthew Allen, junior, deceased, shall have and enjoy all the rights of a child born in lawful wedlock, with the right to inherit and transmit any estate whatsoever.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 422.

## A N A C T

Relative to the Claim of Shem Thomas.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the auditor general and state treasurer be and they are hereby authorized to examine the claim of Shem Thomas, for the loss of the canal boat "Wild Indian," and report if any amount is due said Thomas, together with the facts, to the legislature.*

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 423.

## A S U P P L E M E N T

To the act to incorporate the Eastern Market Company of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That with a view to retire and liquidate the floating debt of the Eastern market company of the city of Philadelphia, the president and directors thereof are hereby authorized and empowered to issue preferred stock of the said company, to an amount not exceeding sixty thousand dollars; and the certificates for such stock to be issued, shall stipulate that the holder thereof is entitled to receive a dividend of seven per cent. per annum from the profits of the said corporation, before any dividend is declared on the original or common stock; or it shall be lawful for president and directors of the said company, at their option, to create the stock aforesaid, bearing an interest of seven per cent. per annum: Provided also, That any irregularity in the original organization of the said company, by the commissioners named in*



the act of incorporation, or the omission of any subscriber to pay the five per cent. mentioned in the fourth section of the act of incorporation of said company, shall not invalidate or affect the charter thereof.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 424.

## A N A C T

Extending the charter of the Pennsylvania Salt Manufacturing Company, under the provisions of the general manufacturing law of seventh April, one thousand eight hundred and forty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the term of incorporation of the Pennsylvania Salt manufacturing company, incorporated under the provisions of the general manufacturing law of seventh April, one thousand eight hundred and forty-nine, be and the same is hereby continued and extended for the term of twenty years, from and after the twenty-fifth day of September, Anno Domini one thousand eight hundred and sixty; and that the said corporation shall, during the said term of twenty years, continue to be subject to the provisions of the original act of assembly of this commonwealth, passed on the seventh day of April, one thousand eight hundred and forty-nine, to encourage manufacturing operations in this commonwealth, as the same was in force at the date of the original incorporation of said company, in like manner as if they had been originally incorporated for the term of thirty years; and that the business of said company shall be the manufacturing and vending of salt, and other articles resulting therefrom, or used in the manufacture thereof, or resulting from the products of the manufacture of such articles.

Term of incorporation extended.

Subject to.

Business of the company.

SECTION 2. That the said company are hereby authorized, with the consent of the holders of not less than two-thirds of all the shares of stock of said corporation, signified either by a resolution, passed at a special meeting called for that purpose, in

Authorized to borrow money.

To issue bonds  
and execute  
mortgages.

the manner provided in the nineteenth section of said act of seventh April, one thousand eight hundred and forty-nine, or by request, in writing, to the directors of said company, under the hands and seal of the holders of at least two-thirds of the whole number of shares of the stock of said company, to borrow on loan, for the prosecution of their legitimate business, any sum or sums of money not exceeding the amount of capital stock actually paid in, and to issue bonds of the said company therefor, in amounts of not less than one hundred dollars each, payable at some fixed time during the term for which said company is incorporated, with interest coupons attached, at a rate of interest not exceeding seven per centum per annum; and for securing the payment thereof, to execute a mortgage or mortgages of all or any part of their real estate and franchises, under the seal of the corporation, and signed and acknowledged by the president or other chief officer thereof: *Provided*, That any holder of any such bond or bonds, may at his election at any time convert the same into the capital stock of said company at the par value thereof, by giving notice to the treasurer of said company and surrendering such bond or bonds; and such increase of stock, by the conversion of any such bond or bonds into stock from time to time, shall not require a meeting of the stockholders, nor any such proceedings as are required or provided for by the nineteenth and twentieth sections of the act of seventh April, one thousand eight hundred and forty-nine, hereinbefore referred to: *Provided*, That the capital stock of said company shall not be increased to an amount exceeding four hundred thousand dollars: *And provided*, That the amount of outstanding bonds, at any time issued by said company, shall in no case exceed the amount of capital stock of said company actually paid in.

Proviso.

Proviso.

Proviso.

When this act to  
go into effect.

SECTION 3. That this act shall go into effect so soon as the stockholders of said company shall, by a vote of two-thirds in number of shares of said stock, at a special meeting to be called for that purpose, in the manner provided in the nineteenth section of the said recited act of seventh April, one thousand eight hundred and forty-nine, accept of the provisions of this act: *Provided*, That the president and secretary of said company shall, within thirty days thereafter, file in the office of the secretary of the commonwealth, a copy of such resolution of acceptance, with the number of votes cast for and against the acceptance thereof, and a statement of the names of the stockholders of said company, the number of shares held by each, and the amount of the capital stock of said company, under the oath or affirmation of the president and secretary.

Proviso.

Letters patent,  
when to be is-  
sued.

SECTION 4. That it shall be lawful for the governor of this commonwealth, whenever the statement required by the preceding section of this act shall have been duly executed and filed in the office of the secretary of the commonwealth, as hereinbefore provided, to issue letters patent under the great seal of the commonwealth, declaring the holders of the stock of said company, and also those who may hereafter become subscribers or holders of said stock, to be a body politic in deed and in law, under the provisions of the act of the seventh day of April, one thousand eight hundred and forty-nine, entitled "An Act to

Subject to.

encourage manufacturing operations in this commonwealth," and of this act.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The seventh day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 425.

## A N A C T

To incorporate the American Steam Plow Manufacturing Company of Lancaster county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Joseph W. Fawkes, Joseph C. Dickenson, their associates, successors and assigns, and such other persons as shall become shareholders, be and they are hereby constituted and created a body politic and corporate, in deed and law, by the name, style and title of the American Steam Plow manufacturing company of Lancaster county, with a capital of one hundred thousand dollars, to be divided into shares of one thousand dollars each. Corporators.  
Style.  
Capital.

SECTION 2. That the affairs of said company shall be managed by a board of not less than three nor more than five directors, one of whom shall be president, and shall be chosen by the directors; the election of directors shall be held annually, at such time and place as the company may determine, of which public notice shall be given; all elections shall be by ballot, and every share of stock subscribed and paid in, shall entitle the holder to one vote, in person or by proxy; a majority of the board of directors shall constitute a quorum for the transaction of business, and shall hold their offices until their successors shall have been elected; and in case of the death or resignation of any of the directors, or a vacancy occurring in the board from any other cause, the remaining directors may elect a person to fill such vacancy, to serve until the next annual election. Management.  
Election of directors.  
Public notice of to be given.  
Votes.  
Vacancies, how filled.

SECTION 3. That the said corporation shall have authority to hold and use a common seal, and the same to change, alter and amend at pleasure; and by the name, style and title aforesaid, shall be able and capable in law to sue and be sued, plead and be impleaded, in any court of this commonwealth or elsewhere, may make all needful rules, regulations and by-laws for the management and business of the corporation. Seal.  
Powers.

**Objects.** SECTION 4. That the said corporation shall have the right to purchase, acquire, hold, manufacture, use, sell or dispose of steam plows, and to hold and convey such real estate and personal property as may be necessary to promote the objects of the corporation: *Provided*, That the real estate shall not exceed fifty thousand dollars.

**Transfer of stock.** SECTION 5. That the stock of said company may be transferred agreeably to the by-laws which may be adopted by the corporation, and that dividends may be declared and paid whenever it may be deemed expedient by the directors; but if the directors, shall make a dividend of more than the actual net profits acquired by the corporation, the directors consenting thereto shall severally be liable to the corporation, in their individual capacity, for the excess so divided and paid.

**Dividends.** SECTION 6. That the said corporation shall pay to the state treasurer, for the use of the commonwealth, a bonus of one-half of one per centum on the capital stock of said company, payable in four equal annual instalments, the first whereof shall be due in one year after the organization of the company, and shall pay such tax on dividends as is or may be required by law.

**Bonus.** SECTION 7. That the stockholders of the said company be and they are hereby declared to be individually liable for all debts due mechanics, workmen and laborers employed by, and for materials furnished for the construction and machinery of said company, to be sued for and collected as is provided in the twelfth, thirteenth and fourteenth sections of an act incorporating the Lackawanna iron and coal company, approved April fifth, Anno Domini one thousand eight hundred and fifty-three.

**Individual liability.**

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

I do certify that the bill, entitled "An Act to incorporate the American Steam Plow manufacturing company of Lancaster county," passed the Senate on the twenty-fourth day of January, Anno Domini one thousand eight hundred and sixty, which has been disapproved by the governor, and returned by the governor, with his objections, to the Senate, in which it originated, was agreed to by two-thirds of the Senate, agreeable to the constitution, on the fourteenth day of March, Anno Domini one thousand eight hundred and sixty, and that the foregoing is the act so agreed to by the Senate.

WM. M. FRANCIS,  
*Speaker of the Senate.*

Attest: RUSSELL ERRETT,  
*Clerk of the Senate.*

I do certify that the bill, entitled "An Act to incorporate the American Steam Plow manufacturing company of Lancaster county," passed the House of Representatives on the fourteenth day of February, one thousand eight hundred and sixty, which has been disapproved by the governor, and returned by the governor, with his objections, to the Senate, in which it originated, was agreed to by two-thirds of the House of Representatives,

on the twentieth day of March, Anno Domini one thousand eight hundred and sixty, and that the foregoing is the act so agreed to by the said House.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

Attest: E. H. RAUCH,  
*Clerk of the House of Representatives.*

No. 426.

## A N A C T

To authorize the Trustees of the Mahoning Presbyterian English Congregation North, in the county of Montour, in the State of Pennsylvania, to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Mahoning Presbyterian English congregation north, in the county of Montour, and state of Pennsylvania, a body corporate, be and is hereby authorized to borrow, or obtain a loan, such sum or sums of money, and on such terms as the trustees of said congregation shall deem expedient, not exceeding, in the whole, three thousand dollars; and to secure the payment of the same, the trustees of said congregation are hereby authorized to execute a bond or bonds, in the name of said corporation, for the amount or amounts which they shall so borrow or obtain on loan; and also further, to execute and deliver, to the person or persons, or body corporate, from whom they shall borrow or obtain on loan said money or moneys, a mortgage or mortgages, in the name of said corporation, upon any and all real estate belonging to or owned by said corporation first herein named: *Provided,* That no bond issued under the provisions of this act, shall be for a sum less than one hundred dollars.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 427.

## A FURTHER SUPPLEMENT

To an act to repeal certain acts of Assembly upon non-payment of the Enrolment Tax, approved the twenty-second day of April, one thousand eight hundred and fifty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the act of assembly, approved on the twenty-second day of April, one thousand eight hundred and fifty-six, entitled "An Act to repeal certain acts of assembly upon non-payment of the enrolment tax," shall not apply to an act supplemental to the charter of the North Philadelphia plank road company: *Provided, That* said company shall have paid the enrolment tax on said act within ten days after the passage of this supplement.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 428.

## A N A C T

To change the limits of the borough of Sunbury, in the county of Northumberland.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* so much of the thirteenth section of the act of the nineteenth day of April, Anno Domini one thousand eight hundred and fifty-three, entitled "An Act for the relief of Jacob Housman, Barbara Widow, et cetera," annexed to and included within the corporate limits of the borough of Sunbury, part of the farms or tracts of land lately owned by Mrs. Sapra Gobin and Susan Scott, and late of the estate of Samuel Hunter, deceased, be and the same is hereby repealed; and the said parts of said farms



or tracts of land shall be and the same are hereby re-annexed to the township of Upper Augusta, in the county of Northumberland, and shall hereafter comprise a part of the territory of the said township of Upper Augusta, as fully and effectually as if the same had never been included within the limits of the borough of Sunbury.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 429.

## A SUPPLEMENT

To an act to restrict Sales by Auction in the counties of Northampton, Dauphin and Lehigh.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the words in the first proviso to the said act, “merchants who have been in business,” shall not be held to apply to any other persons than such as have been doing an ordinary retail or wholesale business for the period mentioned, and are about to retire; and evidence of the receipt of goods, wares or merchandise, after any sale at auction, within such period of time, shall be held to be evidence that such persons are not merchants entitled to be exempt from the penalties of the said act.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 430.

## A N A C T

Relative to the Claim of Jesse Herbert, of Blair county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the auditor general and state treasurer are hereby authorized to examine the claim of Jesse Herbert, of Blair county, for wood furnished on the Allegheny Portage railroad, while the same was in possession of the state; and that the state treasurer be and he is authorized and directed to pay the amount found due said Herbert, if any, out of any moneys in the treasury not otherwise appropriated.*

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 431.

## A N A C T

To prevent the Hawking or Peddling of Alcoholic, Malt or Brewed Liquors, in the county of Potter.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act it shall not be lawful for any person or persons, in the county of Potter, to sell or expose for sale as a hawker, or pedler, or traveling merchant, any alcoholic, malt or brewed liquors; and any person or persons selling or offering to sell any alcoholic, brewed or malt liquors, as a hawker, pedler, or traveling merchant, shall forfeit and pay the sum of seventy-five dollars, the one-half for the use of the commonwealth, and the other half for the use of the person who shall prosecute the same; the said penalty to be recovered by*

action of debt, before any justice of the peace in said county, as debts of like amount are by law recoverable.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 432.

# AN ACT

Relative to the Columbia and Marietta Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Columbia and Marietta turnpike road company shall have the power to demand and collect tolls from all persons hauling or driving over their bridge at Chiques creek, at a rate not exceeding one cent for each horse crossing the same, in addition to the tolls now charged by law on said turnpike.*

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 433.

# AN ACT

To annex a part of the township of West Penn, in the county of Schuylkill, to the borough of Tamaqua.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

all that part of the township of West Penn, in the county of Schuylkill, laying within the following described limits, be and the same is hereby annexed to the borough of Tamaqua, in the said county, and shall hereafter constitute a part of the East ward of said borough, and be attached to Tamaqua school district, to wit: Beginning at a stone, in Union street, in said borough; thence, including the same, north seventy degrees east twenty-eight perches to a post; thence north seventeen degrees west twenty-eight perches to a post; thence by a thirty feet alley south seventy degrees west twenty-eight perches to a post; thence by a fifty feet street south seventeen degrees east twenty-eight perches to the place of beginning.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 434.

## A N A C T

To incorporate the Marietta and Mount Joy Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

Commissioners.	A. N. Cassel, Barr Spangler, Henry Musselman, J. W. Clark, John Hoerner, Jacob Kreybill, Samuel Brubaker, William Brady, Henry Sherbahn, J. H. Hershey, J. Keller and L. K. Seltzer be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company, by the style and title of the Marietta and Mount Joy turnpike road company, with power to construct a turnpike road, commencing at the Cross Keys tavern, in the borough of Marietta, and thence to the town or borough of Mount Joy; subject to all the provisions and restrictions of an act, entitled "An Act regulating turnpike and plank road companies," approved the twenty-sixth day of January, Anno Domini one thousand eight hundred and forty-nine, and the several supplements thereto.
Style.	
Route.	
Subject to.	

To intersect certain turnpike road.

SECTION 2. That the track of the said turnpike road is to be upon the route or road formerly known as the Marietta, Richland and Mount Joy turnpike road, and to run into two branches at the northern end thereof, and intersect the Lancaster, Eliza-

bethtown and Middletown turnpike road, at the towns formerly called Richland and Mount Joy, now the borough of Mount Joy.

SECTION 3. That the capital stock of the said company shall consist of two hundred shares, at twenty-five dollars per share: *Capital stock.* *Provided,* That the said company may, from time to time, at a meeting of the stockholders called for that purpose, increase their capital stock to such an amount as in their opinion may be required to complete the road, according to the true intent and meaning of this act.

SECTION 4. That whenever the said track or turnpike road shall be laid and located upon any road now used as a township or county road, then and in such case no further damages shall be demanded by any one, or paid to any person or persons through whose land the same may pass, than the amount assessed and laid by the viewers or others who laid out such road, under the then existing laws of this commonwealth. *Damages.*

SECTION 5. That the said company may commence the construction of their road at any intermediate point: *Limitation.* *Provided,* That such commencement be made within five years after the passage of this act; and should said company fail to complete their road within ten years after the same shall have been commenced, then this act shall be null and void, except so far as shall be necessary to close up and settle the affairs of said company.

SECTION 6. That all acts or parts of acts, inconsistent with the provisions of this act, are hereby repealed. *Repeal.*

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 435.

## A FURTHER SUPPLEMENT

To the act incorporating the Hopewell Coal and Iron Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall and may be lawful for the president and directors of the Hopewell coal and iron company, by and with the consent of the stockholders holding a majority of stock of said company, present at a meeting to be convened for that purpose by said

president and directors, after three weeks' notice in two newspapers, published in the city of Philadelphia, the object of said meeting being fully set forth in said publication, to create and issue seven hundred shares of stock of the par value of fifty dollars a share, the same or the proceeds thereof to be used for the payment and settlement of any mortgage, or funded or unfunded debt due and growing due; which stock, so issued, shall be deemed and taken as preferred stock, and shall be first paid a dividend of six per cent. per annum, if the profits of the current year shall be sufficient for the purpose, before any dividends shall be paid on the other stock of said company: *Provided*, That no dividend of profits shall be declared or made until all current expenses, repairs and interest on the company's debts, shall be first paid, or provided for, from the receipts of the company's business or rents of their property.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 436.

## A N A C T

Relative to the payment of the Enrolment Tax on certain Cemetery Associations.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the act, entitled "An Act to incorporate the Forty-four cemetery company," approved the sixth day of March, Anno Domini one thousand eight hundred and sixty, and the act, entitled "An Act to incorporate the Chestnut Ridge and Schellsburg Union cemetery association," approved the eighth day of March, Anno Domini one thousand eight hundred and sixty, be enrolled among the laws of this commonwealth on the payment of an enrolment tax of ten dollars by each of said companies.*

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.



No. 437.

## A N A C T

To authorize the Commissioners of Lycoming county to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the commissioners of the county of Lycoming to borrow money to enable them to meet the expenses being incurred by repairing or re-building the court house in said county: *Provided,* That the interest upon any sum of money, so authorized to be borrowed, shall not exceed eight per cent. per annum.

Commissioners  
authorized to  
borrow money.

Proviso.

SECTION 2. That on the removal of the present court house and public offices, it shall be the duty of the county commissioners to procure a suitable building or buildings for the accommodation of the courts, and, also, for the safe keeping of the records, and the use of such of the county offices as the counties are obliged by law to provide with offices, until the new building is ready for occupancy.

Suitable building to be procured to accommodate courts.  
&c.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 438.

## A N A C T

To appoint Commissioners to run and mark the County Line between Juniata and Perry counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That James Woods and Mitchell Patton, of the county of Perry, and George W. Jacobs, of the county of Juniata, are hereby appointed commissioners, with authority to survey, ascertain and mark the dividing line between the counties of Perry and Juni-

Commissioners.

ata, commencing at the Juniata river, and running thence to the Franklin county line.

Duties of.

SECTION 2. That it shall be the duty of said commissioners, after having first taken and subscribed an oath or affirmation, before a justice of the peace, to perform the duties enjoined on them by this act with impartiality and fidelity, to go upon the ground, and carefully survey, ascertain, mark and establish the dividing line which separates the said counties of Perry and Juniata, between the points mentioned in the first section; and that the said commissioners shall run and mark said lines agreeably to the several acts erecting the said counties; which said line, when so marked, shall be the boundary line dividing said counties.

Further duties.

SECTION 3. That it shall be the duty of said commissioners, or any two of them, on or before the first day of September, one thousand eight hundred and sixty, to survey and mark said line upon the ground, by distinct and permanent marks, wherever and as often as the said division line crosses any public road or highway, and other convenient distances, on the aforesaid line; and to make two drafts of the same, certified under their hands, with courses and distances plainly laid down, with references to the improvements through which said line may pass, one of which they shall deposit in each of the prothonotary offices of the aforesaid counties, as soon thereafter as practicable, which shall be considered as a public record.

Compensation.

SECTION 4. That the said commissioners shall receive, as a compensation for their services, the sum of three dollars per day each, for and during the time they shall be actually engaged in the discharge of their duties; and the commissioners shall have authority to appoint a surveyor, and other necessary assistants, to carry out the intention of this act; the said surveyor, so employed, to receive for his services the sum of three dollars per day, and the chain carriers, axemen and other assistants employed, one dollar and fifty cents per day each, while actually engaged in the survey; all the aforesaid expenses shall be paid in equal proportions by the said counties, by warrants drawn on their respective treasurers: *Provided*, That the surveyor be selected from the county represented by but one commissioner.

Proviso.

Vacancies, how filled

SECTION 5. That in case that any of the above named commissioners should refuse to serve, or in the event of his sickness or death, the remaining two shall select a suitable person, a resident of the same county in which the person resided who caused the vacancy as commissioner; and if two or more vacancies shall occur from the same cause, the court of the county in which the vacancy occurs is hereby authorized to appoint commissioners to discharge the duties prescribed in this act.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 439.

## AN ACT

To annex a part of the township of New Castle to the township of East Norwegian, in the county of Schuylkill.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all that part of the township of New Castle, in the county of Schuylkill, lying within the following described limits, be and the same is hereby annexed to the township of East Norwegian, in the said county, viz: Beginning at the north-east corner of the borough of St. Clair; thence on a continuation of the northern line of said borough and by the other part of the said township of New Castle, north sixty-five degrees and a quarter east one hundred and seventy perches to the line of Blythe township; thence along it south thirty-nine degrees east four hundred and one perches to the north-east corner of East Norwegian township; thence along it south sixty-four degrees west two hundred and fifty-seven perches to the eastern line of the borough of St. Clair; and along it north twenty-four degrees and three-quarters west three hundred and ninety-six perches, to the place of beginning.

Certain part of New Castle township annexed to East Norwegian township.

SECTION 2. That the above described part of the township of New Castle shall hereafter constitute a part of the East Norwegian school district; and that the qualified electors thereof shall vote with the other electors at the elections, at the public house formerly occupied by William C. Barber, and now occupied by G. T. Jones, in said township of East Norwegian.

School district, relative to.

Where elections to be held.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 440.

## AN ACT

To authorize Daniel Gilbert to sell certain Real Estate in Montgomery county.

WHEREAS, Philip Krous and Abraham Groff, executors of the last will and testament of Elizabeth Krous, deceased, late of Montgomery county, state of Pennsylvania, did by their deed of indenture, dated April twelfth, Anno Domini one thousand eight hundred and forty-five, and recorded in the office of the recorder of deeds of Montgomery county, in said state, did convey and assure, unto Philip Boyer, trustee of George Moyer and Maria, his wife, all that piece or parcel of land described as follows, to wit: Beginning at a stone, a corner in the line of Jacob Stetler's land; thence by the same, the three following courses and distances, to wit: north nineteen degrees and a half east twenty-seven perches to a post, north fifty-two degrees west fifty-three perches to a post, and north seventy-one degrees west thirty-seven perches to a post; thence by land of late Elizabeth Krous, now intended to be granted to Isaac Groff, the four following courses, to wit: north thirty degrees east thirty-nine perches and five-tenths to a post, south sixty-one degrees east twenty-eight perches, south fifty-four degrees and a half east seventeen perches to a post, north forty-five degrees and a half east seven perches and five-tenths to a post, and south fifty degrees and a quarter west seventy-four perches and six-tenths to the place of beginning, containing thirty acres of land, be the same more or less, together with all and singular the buildings and improvements thereon erected:

*And whereas*, By a petition to the Senate and House of Representatives under the hands of the aforesaid Maria, widow of George Moyer, deceased, and his heirs and legal representatives, it is represented that the aforesaid trustee, Philip Boyer, is deceased, and that his place has not been supplied, and that, therefore, there is no one authorized by law to sell the same, and said real estate and property is fast going to dilapidation and decay for want of proper management, and that the interests of all parties concerned would be promoted by a sale thereof; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Daniel Gilbert, of the borough of Pottstown, in the county and state aforesaid, be and he is hereby authorized and empowered to sell the aforesaid described real estate and property at public sale, having first given due and legal notice of the time and place of sale, by advertisement in at least one newspaper in the county in which the land is, and by handbills, as required in the case of a sale under an order of the orphans' court, by an administrator, for at least twenty days, and to make, execute,

acknowledge and deliver such deed or deeds, for the purpose of completing said sale, as he may deem necessary, and as may be lawful for the purposes herein contained, and the money arising therefrom, to be invested by the said Daniel Gilbert, in such stocks or securities as the said orphans' court of Montgomery county may direct and approve of, for the benefit of the said Maria as aforesaid, and her heirs and legal representatives: *Provided*, That before said sale, the said Daniel Gilbert shall file in the orphans' court of said county, a bond in such sum as the said court shall direct, and with such security as the said court may approve of, in the condition and similar to the conditions now required by law in case of an order of sale by a guardian.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-sixth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 441.

## A N A C T

Reviving the warrant to George Rupert, a Collector of Taxes in Brady township, Huntingdon county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the warrant issued by the commissioners of Huntingdon county to George Rupert, a collector of state, county and military taxes for the township of Brady, in said county, dated the fourth day of July, Anno Domini one thousand eight hundred and fifty-six, be and the same is hereby revived and continued in full force and virtue for the space of one year from and after the passage of this act.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 442.

## AN ACT

To prevent the Fishing with Drag or other Nets, Seines or Pounds in the harbor or bay of Presque Isle, or in the Ponds or Bayous adjoining thereto.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

Certain kind of fishing prohibited.

from and after the passage of this act, it shall not be lawful for any person or persons to fish in any part of the harbor or bay of Presque Isle, in the county of Erie, or in any of the ponds or bayous on the island or peninsula forming the northern boundary of said harbor, with any net, or seine, or other device whatever, calculated or intended to catch or draw fish from the waters of said harbor, or from said ponds, in quantities; and any person or persons so offending, shall forfeit the nets, seines or other device so used, and shall also forfeit and pay, for each and every such offence, the sum of twenty dollars, to be sued for and recovered by the directors of the poor of the county of Erie, for the use of said poor; and there shall be no exemption of property from levy and sale on any execution issued upon any judgment recovered under or by virtue of this act: *Provided*, That nothing contained in this act shall be construed to prevent any person from fishing in any part of said harbor or ponds with a hook and line or spear, or to prevent fishing with gill or drag nets in said harbor, east of a line extending from north end of German street, in the city of Erie, to the west side of Misery bay.

Proviso

Relative to violations of this act.

SECTION 2. That it shall be the duty of directors of the poor of the county of Erie, to institute a suit or suits against any person or persons violating the provisions of this act, upon information given to them, or either of them, of any such violation.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.



No. 443.

## A N A C T

To authorize the Trustees of the First Baptist Church of the city of Philadelphia, to convey certain Real Estate.

WHEREAS, The First Baptist church of the city of Philadelphia have ceased to occupy their meeting house on La Grange Place, in the said city, and have removed and are removing their dead from the burial ground attached to the same :

*And whereas*, The said society have erected and occupy a meeting house in another part of the city, and have purchased other ground as a burial place, to which they have removed and are removing their dead, and their interest therefore requires that they should have power to dispose of the same ; now therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the trustees of the First Baptist church of the city of Philadelphia, be and they are hereby authorized and empowered, at any time or times hereafter, to grant, bargain and sell all or any part or parts of all that lot of ground, with the buildings thereon erected, situate on the north side of La Grange Place, in the said city of Philadelphia, belonging to the said First Baptist church of the city of Philadelphia, beginning on the said La Grange Place, at the distance of forty-nine feet and eleven inches, or thereabouts, westward from the west side of Second street ; thence extending on a line parallel with the said Second street north eighty feet ; thence west one hundred and seventy-three feet one inch ; thence north twenty-five feet six inches ; thence west eighty feet ; thence south sixty-nine feet six inches ; thence east seventy-eight feet ; thence north one foot ; thence east thirty-five feet ; thence north six inches ; thence east twenty-three feet eight inches and a half an inch ; thence south thirty-eight feet ; thence east one hundred and fifteen feet ten inches, along the said La Grange Place to the place of beginning, (including on the east side the westernmost four feet on breadth of an alley, widened to nine feet and extending in depth eighty feet, more or less, laid out and opened for the common use of the hereby granted premises, and the premises adjoining the said alley on the east and fronting on Second street,) at public or private sale, in fee simple upon ground rent, or for any other estate, and upon such terms and conditions as they may think proper ; and to convey and assure the premises so sold, together with the free and common use of the said alley as a water course and passage way, and other easements, rights and appurtenances thereunto belonging, to the purchaser or purchasers thereof, discharged of all and every the trusts, estates, limitations and conditions expressed or contained in the indentures or legal assurances relating thereto, so that the said purchaser or purchasers, shall

take the said premises so conveyed to them, without any limitation or liability on their part, to see to the application of the purchase money; and such conveyance shall vest an indefeasible title to the premises so conveyed, in the purchaser or purchasers thereof, notwithstanding any statutes or laws of mortmain or other disabling laws or customs; and so much of said statutes or laws as tend to invalidate the title to any of the real estate aforesaid, in the possession of the said church or its grantors, is hereby repealed; and the said trustees shall apply the proceeds, arising from the sale of the same, to such purposes, consistent with their organization and the trusts upon which the said property is now held, as the said society shall direct.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 444.

## AN ACT

Relating to Vagrants in Lancaster and Dauphin counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter all fees to be received by any mayor, alderman or justice of the peace, in the county of Lancaster or Dauphin, in any vagrant case where the alleged vagrant is discharged, shall be twenty cents, and where he is committed to the county prison, twenty cents in addition.

Fees of mayor,  
alderman or justice  
of the peace.

Of constable.

SECTION 2. That hereafter all fees to be received by any constable in the said counties, in any vagrant case, shall be as follows: for arresting the alleged vagrant and bringing before a justice, twenty cents; conveying to jail, twenty-five cents, with the mileage heretofore allowed by law.

Repeal

SECTION 3. That that part of section fifth of the act of March thirty-first, one thousand eight hundred and fifty-three, which provides that vagrants committed to the Lancaster or Dauphin county prison, shall be fed, clothed and treated as convicts in

said prison are directed to be fed, clothed and treated, be and the same is hereby repealed.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 445.

## AN ACT

More effectually to secure title to certain Real Estate.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the title of P. Pemberton Morris and John Fallon, their heirs and assigns, to all and singular the real estate conveyed to them by Frederick Probst and wife, by deeds dated the eighth day of October, one thousand eight hundred and fifty-nine, and recorded severally in Philadelphia and Clinton counties, shall be equally good, effectual and indefeasible, as if none of their *cestui que trust*, interested in the said property, or in any part thereof, were aliens.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 446.

## A N A C T

Authorizing the appointment of an Auctioneer in the borough of Kittanning, Armstrong county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the governor be and he is hereby authorized and empowered to appoint and commission, for the term of five years, one suitable person in the borough of Kittanning, Armstrong county, as an auctioneer, who is hereby authorized to sell at public auction, books, stationery, and all kinds of goods, wares and merchandise usually kept in a book store; and the auctioneer so appointed and commissioned, shall, before exercising any of the powers or enjoying any of the privileges incident to said appointment, pay into the county treasury of Armstrong county, for the use of the commonwealth, the sum of twenty dollars for his commission; and the said auctioneer shall also pay into the county treasury, for the use of the commonwealth, one per centum upon all sales exceeding in amount the sum of ten thousand dollars: *Provided, That* this act shall in nowise be construed so as to interfere with the retail business of said auctioneer.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 447.

## A N A C T

To authorize the erection of a Poor House by the township of Wilkesbarre, in Luzerne county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Commissioners. E. W. Sturdevant, William Hibler, John W. Horton, Alexander

M'Clane and Thomas Quick, junior, of the township of Wilkesbarre, in Luzerne county, be and are hereby appointed commissioners, whose duty it shall be, or a majority of them, as soon after the passage of this act as practicable, to determine upon, and with the assent of the court of the quarter sessions of Luzerne county, purchase such real estate as may be necessary and proper for the accommodation of the poor of the township of Wilkesbarre aforesaid; and it shall be lawful for said commissioners to take and receive proper conveyances therefor, in the name and for the use of the corporation mentioned in the second section of this act; and upon the receipt of such conveyance, to execute, in the name of said corporation, and deliver to the vendee or vendees, bonds or mortgage upon said real estate, to secure the payment of so much of the purchase money thereof as shall then remain unpaid, and also to erect thereon suitable buildings for the accommodation and keeping of the poor of said township; and they are also authorized and empowered to borrow such sum or sums of money as may, in their opinion, be advisable and necessary, not exceeding four thousand dollars, to be used in the payment of the expense of purchasing said farm and erecting said buildings, and to secure the payment of the same by bonds and mortgages on said real estate.

SECTION 2. That the said E. W. Sturdevant, William Hibler, John W. Horton, Alexander M'Clane and Thomas Quick, junior, are hereby constituted directors of the poor in the township aforesaid, until successors are appointed and qualified, as hereinafter provided; and they, and their successors in office, are hereby created a body politic and corporate, in law, to all intents and purposes whatsoever, relative to the poor of said township, and shall have perpetual succession, by the name, style and title of the directors of the poor of Wilkesbarre township; and by that name may be sued, plead and be impleaded, receive, take and hold any lands, tenements and hereditaments, not exceeding the yearly value of three thousand dollars, to erect and keep in proper condition suitable buildings for the reception, use, accommodation and employment of the poor of said township, and to provide all things necessary for the lodging, maintenance and employment of the poor of said township.

SECTION 3. That the said E. W. Sturdevant, William Hibler, John W. Horton, Alexander M'Clane and Thomas Quick, junior, shall continue in office as directors until the annual March election in the year one thousand eight hundred and sixty-two, at which time the qualified electors of said township shall elect three persons to serve as directors of the poor of said township, one to serve for one year, one for two years, and one for three years, and yearly thereafter the said electors shall elect one person to serve as director as aforesaid for three years; and the returns of all elections under this act, and proceedings connected therewith, shall be the same as in the case of the election of township officers: *Provided*, That any vacancy in the said office of director, by resignation or otherwise, shall be filled by the court of quarter sessions of Luzerne county until the next ensuing election of directors, when the said vacancy shall be filled by election, under the limitations aforesaid; and the said court shall have power to remove any director for gross neglect of

Duties of.

Directors appointed.

Style of corporation.

Election of directors.

Provided.

duty or other misconduct, upon the petition of fifty or more of the aforesaid electors, upon a hearing of the complaint, after reasonable notice to the director complained of.

Directors to be sworn.

Officers.

SECTION 4. That the said directors shall, before entering upon the duties of their office, be duly sworn or affirmed to faithfully discharge the duties of said office; and the persons herein appointed directors shall, as soon as they shall think proper after the passage of this act, appoint a treasurer, steward or superintendent, collector of poor taxes, and such other assistants as they shall deem necessary, who shall serve until successors are appointed; and in the month of January, in the year one thousand eight hundred and sixty-one, and in the month of January in each year thereafter, the said directors shall appoint a treasurer, a collector, a steward, physician, and such other assistants as they may deem necessary, to serve for one year, and until successors are appointed and qualified; the said treasurer and collector to give bonds, with sufficient security, conditioned for the faithful performance of their respective duties, in such sum as the directors may require; any of said officers or assistants may be removed by said directors for neglect of duty, or for improper conduct in office, and the vacancies, as well as all vacancies which shall otherwise occur, to be filled by them.

Tax to be laid and collected.

SECTION 5. That the said directors, any two of whom shall constitute a quorum for the transaction of business, shall have power annually, as soon after the returns of the annual assessments in said county as is practicable, to lay a rate or assessment, not exceeding one cent on the dollar at one time, upon all real and personal estates within the township aforesaid, for defraying the expenses of purchasing said farm, erecting said buildings, and maintaining the poor of said township, which shall be the same rate per centum in said township, and shall be levied upon the basis of the last adjusted valuation made for regulating county rates and levies; and having caused fair duplicates of such rate or assessment by them laid to be made, which shall be signed by them, shall issue their warrant to the collector of such tax therein, authorizing and requiring him to demand, receive and collect, from every person therein named, the sum wherewith such person stands charged, in the manner and by the same process as poor taxes are now by law collectable; and the said directors shall, from the time of providing by them of suitable buildings for the accommodation of said poor, exercise and perform all the powers and duties which overseers of the poor may and are now required by law to exercise and perform within said township, except so far as such acts, duties and powers as are herein expressly prescribed or limited.

Statement and certificate to be filed.

SECTION 6. That the said directors shall, as soon as they shall have provided suitable buildings for the accommodation of the poor of said township, file in the office of the clerk of the court of quarter sessions of Luzerne county, a certificate, setting forth that such buildings are ready for the reception and accommodation of said poor; which certificate shall also contain a statement of the real estate purchased, with a brief description of the buildings thereon, the cost of procuring and fitting up the same; and they shall also thereupon give notice to the overseers of the poor of said township of their readiness to receive and accom-

Notice to overseers.



modate the poor thereof, which said overseers are required forthwith to furnish said directors with a list of the names of the persons then a charge upon said township, or receiving relief therefrom, with the place of residence of each; and the said directors shall thereupon cause such poor persons, or such of them as they shall think it expedient, to be removed to said house so provided, and thereafter to be kept, lodged and maintained therein, so long as such persons shall continue a charge upon said township; and no person who shall refuse to go to said poor house, or to be maintained therein, shall be entitled to relief or support from said directors, or from said township, during the time of such refusal: *Provided however,* That said directors may, if they think proper, furnish assistance and afford relief to any poor persons, without requiring them to be removed to and kept at said poor house.

Their duties.

Proviso.

SECTION 7. That the said directors are hereby authorized to provide work and employment, for such poor persons as may be able to perform any labor, or pursue any employment, and if any poor person unless unable, by reason of age, infancy, disease, infirmity or other disability, shall refuse to perform such reasonable labor or service, as shall be allotted to or required of him or her by said directors, such person or persons shall not be entitled to, or receive any relief or assistance during such refusal, and shall immediately upon such refusal, be discharged from said poor house.

Employment of the poor.

SECTION 8. That the overseers of the poor of the township aforesaid, shall, as soon as notified by the directors, in the manner provided for in the sixth section of this act, cease to act as overseers of the poor in said township, except so far as may be required to settle, adjust and close their accounts as overseers with said township, or with persons with whom they have transacted business; and they shall, upon demand, deliver to the said directors, transcripts of all poor taxes remaining unpaid on duplicates in their hands, together with all books, papers, orders and documents, pertaining to their office as overseers, and shall also pay to the said directors, or to the treasurer appointed by them, all the moneys unexpended in their hands, belonging to the said township, and the said directors shall forthwith issue their warrant to the collector, for the collection of all such unpaid poor taxes, which shall be collected in the same manner as is provided for the collection of taxes assessed by said directors.

Duty of overseers

SECTION 9. That if upon a final settlement by said overseers of the township aforesaid, of their account as overseers, any balance shall be found due them, or either of them, the said balance due shall be certified by the auditors making such settlement, and thereupon the said directors are required to issue their order upon the treasurer, in favor of such overseer or overseers for the amount or amounts so certified to be due.

Balances to be paid.

SECTION 10. That the steward or manager of said poor house is hereby required yearly, on the first Monday in January in each year, to furnish to said directors, a statement of the income of said real estate, as nearly as the same can be done; also of excess of his expenditures over and above said income, the amount and kind of personal property then on hand, in-

Annual statement by steward.

cluding grain, et cetera, the number of persons admitted and discharged during the year, with the number then therein, the length of time each remained, and the age and sex of each; the treasurer shall annually, on the first Monday of each year, render to said directors, a just and correct account of his receipts and disbursements during the preceding year; and the said directors shall annually, in the month of January in each year, publish in one or more newspapers, that may be published in borough of Wilkesbarre, a statement of the receipts, disbursements and expenditures of said corporation during the preceding year, with a statement of property, real and personal, then held by them.

Publication to be made.

Auditors.

SECTION 11. That the auditors of the township of Wilkesbarre shall constitute a board of auditors to settle the accounts of the directors; and which auditors shall meet for that purpose on the second Monday of January in each year, and shall receive for their services each one dollar per day, for every day necessarily employed.

Orders for relief.

SECTION 12. That all orders issued for the relief of any poor person or persons, within said township, after the filing of the certificates mentioned in the sixth section of this act, shall be directed to the directors of the poor of Wilkesbarre township; and upon the receipt of such orders, said directors, or any one of them, shall immediately proceed to inquire into the circumstances, and if the person or persons therein named, are found by him to be entitled to relief, he or they shall furnish such relief, or cause such person or persons to be removed and taken to said poor house, and there kept and maintained until legally discharged; any one of said directors shall have authority to direct a poor person to be admitted into said poor house; but no person shall be discharged therefrom unless at his or her own request, except by the direction of at least two of said directors.

Binding out of children.

SECTION 13. That the said directors are hereby authorized to bind out the poor children under their care, whose parents are dead or unable to support them, as apprentices, in the same manner and under the same restrictions as the overseers of the poor may now by law put out such children; and the said directors shall exercise the same power and authority over all real and personal estate of any poor person under their care, as is now by law vested in the overseers of the poor.

Pay of officers.

SECTION 14. That the compensation of the treasurer, collector, steward, matron, physician, and other officers or assistants, shall be fixed by the directors, and the compensation of the directors shall be fixed by the board of auditors, at each yearly settlement, for the next succeeding year: *Provided*, That the compensation of said directors, from the passage of the act until the first settlement, shall be fixed by the board of auditors at the first yearly settlement; the said directors to furnish the said auditors a correct account of the time and expenses lost and incurred by them, in attending to their duties, from which account the said compensation shall be fixed and adjusted.

Proviso.

Appeals.

SECTION 15. That the said directors or treasurer, or any one or more of the tax-payers of said township, may, within twenty days from the yearly settlement by the auditors as aforesaid, appeal from such settlement to the court of common pleas of

Luzerne county, in the same manner, and under the same provisions and regulations, that appeals from settlements by township auditors are now allowed.

SECTION 16. That no moneys shall be paid by the treasurer except upon orders drawn by the directors and signed by at least two of said directors. Treasurer.

SECTION 17. That all acts of assembly, or parts of acts, hereby supplied or inconsistent with this act, are hereby repealed. Repeal.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 448.

## SUPPLEMENT

To an act authorizing the Governor to incorporate the Waynesburg Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in lieu of the tolls prescribed by the act of assembly, passed the twenty-sixth day of January, one thousand eight hundred and forty-nine, entitled "An Act regulating turnpike and plank road companies," it shall and may be lawful for the said Waynesburg turnpike road company to collect and receive of and from all and every person or persons using the road of the said company, the tolls and rate hereinafter mentioned; that is to say, for every mile in length of said road, the following sums of money, to wit: For every score of hogs, one cent; for every score of sheep, one cent; for every score of cattle, three cents; for every horse and his rider, or led horse, one cent; for every sulkey, chair or chaise, with one horse and two wheels, two cents, with two horses, three cents; for every chariot, coach, phaeton or dearborn, with one horse and four wheels, two cents; for every coach, phaeton or chaise, with two horses and four wheels, four cents; for either of the carriages last mentioned, with four horses, five cents; for every other carriage of pleasure, under whatever name it may go, the like sums, according to the number of wheels and horses drawing the same; for every stage wagon with two horses, three cents; for every such wagon with four horses, four cents; for every sleigh or sled,

## LAWS OF PENNSYLVANIA,

one cent for each horse drawing the same ; for every cart or wagon, whose wheels shall be less than seven inches, one cent for each horse drawing the same ; and for every cart or wagon, the breadth of whose wheels shall be more than seven inches, a half cent for each horse drawing the same.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 449.

## A SUPPLEMENT

To an act to incorporate the Monongahela Water Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That in addition to the commissioners appointed by the act to which this a supplement, John P. Pears, James Millinger, John Brown, J. F. Jones, Samuel M'Kee, Alexander Chambers and James Blackamore are hereby appointed commissioners ; and any five or more of the whole number of commissioners are hereby authorized to do and perform the several duties mentioned and prescribed in the act to which this is a supplement.*

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 450.

## A N A C T

For the preservation of Fish in Crawford county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall not be lawful for any person or persons to spear any fish in the Hartstown reservoir and Conneaut lake, within the limits of Crawford county, between the first day of October and the first day of June, in each year, for five years next ensuing the passage of this act; or to catch or take any fish in French creek, within the limits of said county, with any seine or seines, net or nets of any kind, for the five years next ensuing from and after the passage of this act.

When fish may  
not be caught or  
taken.

SECTION 2. That any person offending against the provisions of this act, shall, on conviction thereof, pay a fine of ten dollars, with costs of suit, for the first offence, and fifty dollars, with like costs, for each and every subsequent offence, to be recovered by suit, in the name of the commonwealth, before any justice of the peace having jurisdiction over the place where such offence shall have been committed; one-half of such fine or judgment to be for the use of the person who shall prosecute for the same, and the other half for the use of the county where such offence shall have been committed.

Penalty for  
offending against  
this act.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 451.

## A N A C T

Confirming the Charter of the borough of Manchester.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

## LAWS OF PENNSYLVANIA,

the charter of the borough of Manchester, in the county of Allegheny, and all acts and things done and performed under and in accordance with the provisions of said charter, be and the same are hereby declared to be confirmed and made valid, and of the same force and effect as if the said charter had been recorded within the time prescribed by law: *Provided*, That nothing herein contained shall be construed to apply to any cases now depending in the courts of Allegheny county, or affect the rights or interest of any of the parties in any suit or suits, instituted prior to the passage of this act; but the same shall be determined under the laws existing at the period when such cases or suits at law originated or were instituted.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 452.

## A FURTHER SUPPLEMENT

To an act to incorporate the Chambersburg and Allegheny Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the time for the payment of the enrolment tax on the act, entitled "An Act to incorporate the Chambersburg and Allegheny railroad company," be extended for the period of one year from and after the passage of this act.*

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.



No. 453.

## A N A C T

Repealing a certain act relative to the township of West Brunswick, Schuylkill county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the second and third sections of an act relative to certain election districts, approved the twenty-seventh day of April, Anno Domini one thousand eight hundred and fifty-five, be and the same are hereby repealed.*

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 454.

## A N A C T

Authorizing the sale of a certain School House and Lot, in Rockhill township, Bucks county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Jacob Shaffer, William Keller and Samuel Weisel, trustees of a certain school house property, containing about one acre of land, situated in Rockhill township, Bucks county, conveyed in the year seventeen hundred and fifty-seven, by Jacob Weisel, his trustee, for school purposes, be authorized to sell said school house and lot of land, and the appurtenances thereunto belonging, and by deed convey the same to the purchaser thereof, in fee simple, and pay over the proceeds thereof to the treasurer of the Rockhill school district of said county.*

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 455.

## A SUPPLEMENT

To the several acts incorporating the Pottsville Water Company.

Preamble.

WHEREAS, Burd Patterson and Abraham Pott, the owners of a lot of ground in Pottsville, bounded by Mabantango street, Norwegian street, Spring street and Morris street, granted the same to the Pottsville water company, to be held by the said company so long as the said lot should be required for the purposes of the said company; in consideration of which grant the said company issued to the said Burd Patterson and Abraham Pott three hundred and twenty shares of stock, which were called "Spring stock," upon which a dividend of the profits of the company was to be paid, so long as the company held the said lot of ground:

*And whereas,* The Pottsville water company have abandoned the said lot of ground, and have declared that they have no longer any use for the same:

*And whereas,* Burd Patterson and Abraham Pott have sold and transferred the said Spring stock to sundry persons, who are now the equitable owners of the said ground:

*And whereas,* The said holders of the Spring stock are desirous that the title of the said lot should be placed in trustees, so that the same may be sold and conveyed, and the purchase money thereof divided among the holders of the said Spring stock, in proportion to their several interests:

*And whereas,* It is doubtful whether the Pottsville water company have, although they intended so to do, divested the company of the title of the lot of ground, in order that the value of the said lot may be secured to the holders of the said Spring stock, and a clear title conveyed to any one who may be desirous of purchasing any part thereof.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Pottsville water company are hereby authorized to convey, release and confirm unto Christopher Little, of the borough of Pottsville, his heirs and assigns, the right, title and interest of the said the Pottsville water company, in the said lot of ground.

May convey and  
release certain  
property.

To be held in  
trust, and how  
disposed of.

Proceeds, how  
disposed of.

Spring stock to  
be held as per-  
sonal property.

SECTION 2. The said lot of ground shall be held by the said trustees, in trust, to sell and dispose of the same in one body, or divided into parts or parcels, at public or private sale, for cash or on credit, as to him shall seem best adapted to produce the most money, and to divide the proceeds when received, after deducting the reasonable expenses of the trust, to and among the holders of the said Spring stock, and their assigns.

SECTION 3. The said Spring stock shall be held and considered as personal property; and any interest that the holders of the said stock may have in the said lot of ground, in consequence of holding such stock, shall not be subject to the lien of any

judgment; but the said Spring stock shall be liable to execution, Not subject to  
 in the same manner as stocks in any incorporated company, and lien of judgment.  
 may be transferred in the same manner: *Provided*, That all sales Proviso.  
 made by the trustee under this act, shall be approved by the  
 court of common pleas of Schuylkill county; and the trustee  
 shall give such security for the due application of the purchase  
 money arising from such sales, as may be required by the said  
 court.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 456.

# AN ACT

Relative to the Sureties of Thaddeus Stanton, late Treasurer of Washington county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That on the payment by Abel Evans, Isaac Thompson, Clark Chambers and Edward G. Crandall, sureties of Thaddeus Stanton, late treasurer of Washington, of their proportionate share, the one-sixth of the claim of the commonwealth against each of said sureties, they shall stand discharged from the further payment to the state by reason of their obligation as sureties.*

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 457.

## A N A C T

Relating to the Salary of the County Superintendent of Schuylkill county.

WHEREAS, The superintendent of common schools issued certain warrants for the payment of salary to William A. Field, whilst he was exercising the duties of his office as county superintendent of the county of Schuylkill, for his services in that capacity under the appointment of said state superintendent, in his opinion, in obedience to the requirements of law to fill a vacancy in the office, which vacancy the supreme court afterwards decided did not at the time exist; in consequence whereof, Jonathan K. Krewson, county superintendent of said county, is also entitled to compensation for the time embraced in the warrants issued to William A. Field; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the superintendent of common schools be and he is hereby authorized to issue his warrant to Jonathan K. Krewson, for the sum of three hundred and twenty-seven dollars and sixty-five cents, the amount of the warrants already issued to William A. Field; and that the state treasurer be and he is hereby required to pay the same out of any moneys not otherwise appropriated; and that the issue and payment of the warrants to William A. Field, be and the same are hereby legalized, and the state superintendent authorized to issue an additional warrant for the sum of two hundred and fifty dollars, for that portion of his term of service for which he has received no compensation: *Provided,* That the issue of said warrant shall not be construed to affect in any way the salary due to the present county superintendent.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 458.

## A N A C T

Relative to the Claim of Bergaus and Grim.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the auditor general be and he is hereby authorized and required to examine the claim of Bergaus and Grim, of Huntingdon county, for blacksmithing done and materials furnished for the Upper Juniata division of the Pennsylvania canal, during the years one thousand eight hundred and fifty-five and one thousand eight hundred and fifty-six; and after such examination, shall report the amount he finds to be due said parties to the legislature, at the next session thereof.*

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 459.

## A N A C T

To fix the place of holding Elections in Guelich township, Clearfield county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the place of holding the general, special and township elections in Guelich township, Clearfield county, shall be at the Janesville school house, in said township, until the same shall be changed, in accordance with the act of assembly in such cases made and provided.*

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 460.

## A N A C T

Authorizing President Judges to hold Courts out of their several Districts in certain cases.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in case of the sickness of a president judge in any judicial district in Pennsylvania, or of the sickness of his family, or of his inability to hold the regular term of courts in any county, from any cause whatever, it shall be lawful for him to call upon any other president judge in the commonwealth, who may not himself be engaged, to hold said regular term of courts; and said president judge, so called upon, is hereby authorized and empowered to discharge the duties appertaining to said office, as fully as the regularly commissioned president judge of said district could do if present, and shall be entitled to the same compensation allowed by law for holding special courts.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 461.

## A N A C T

To prevent the killing of Squirrels out of season in the counties of Adams and Dauphin.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall not be lawful for any person within the counties of Adams and Dauphin, to shoot, kill, or in any way destroy any grey, black or fox squirrel, from the first day of January until the first day of September in the present year, and in each and every year hereafter, under the penalty of five dollars for each and



every offence, to be recovered, et cetera, agreeably to the sixth section of the act of assembly, approved the twenty-first day of April, one thousand eight hundred and fifty-eight, for the protection of game in the commonwealth of Pennsylvania.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 462.

## AN ACT

Relating to the Road Laws of M'Kean and Tioga counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act passed fourteenth April, one thousand eight hundred and fifty-five, entitled "An Act to consolidate and amend the road laws of the counties of Tioga, Potter, M'Kean and Elk," be and the same is hereby repealed as far as relates to the counties of Tioga and M'Kean. Repeal.

SECTION 2. That the provisions of the sixteenth, seventeenth, eighteenth, nineteenth, twentieth, twenty-first, twenty-second, twenty-third, twenty-fourth, twenty-fifth and twenty-sixth sections of an act authorizing the laying out and locating a state road from the borough of Elizabethtown, Allegheny county, to the borough of Brownsville, in Fayette county, and for other purposes, be and the same are hereby extended to the counties of Tioga and M'Kean. Certain act extended to Tioga and M'Kean counties.

SECTION 3. That at the next township elections in said counties of Tioga and M'Kean, the qualified citizens of the different townships of said counties, shall elect three persons who shall be styled commissioners of roads and highways. Commissioners of roads, election of.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 463.

## AN ACT

To authorize the Pennsylvania Farina Company to wind up and settle their Affairs, and distribute their Assets among the Stockholders.

Authorized to settle up affairs of the company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That whenever the stockholders of the Pennsylvania farina company, at a corporate meeting duly convened, shall duly authorize and instruct the board of directors of said company, it shall be lawful for the said board of directors to proceed, with all convenient speed, to close the business, and to liquidate, settle and wind up all the concerns of the said company.

May sell and convey at public or private sale.

SECTION 2. That whenever the authority aforesaid shall be given, it shall be lawful for the said board of directors to collect all the debts and other assets of the said company, and to sell and convert into money all the property belonging to the same, not so converted, or any part thereof, at public or private sale, for such price as they shall deem reasonable; and to make and execute all deeds and other writings necessary thereto.

Proceeds to be divided among stockholders.

SECTION 3. That whenever all the said debts and other assets shall be collected, and property sold, and the money therefor received, all the expenses and all the debts of the said company shall be first paid, and the balance be divided among the stockholders, and paid to them, or their legal representatives, in proportion to the amount of stock they respectively hold.

When charter to be deemed extinct

SECTION 4. That the charter of the said company shall continue, and the direction be kept up according thereto, until a final dividend of the assets shall be made as aforesaid, and then the charter and the said company shall be deemed and taken to be extinct.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 464.

## A N A C T

To legitimate Kate Gilmer.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Kate Gilmer, an illegitimate child of James Gilmer, of Lawrence county, shall have and enjoy all the rights and privileges of a child born in lawful wedlock.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 465.

## A N A C T

Relating to certain Ground Rents.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* two certain deeds of conveyance executed to the Mutual Benefit life insurance company of Newark, New Jersey, one of them by Joseph L. Lord and Fanny, his wife, bearing date November twenty-first, Anno Domini one thousand eight hundred and fifty-four, and recorded in the office for recording deeds, et cetera, in and for the county of Philadelphia, in deed book S H, number one hundred and seventy-six, page three hundred and seventy-six, et cetera; and the other of them by William F. Emlen and J. Dickinson Sergeant, trustees of the Sepviva estate, dated the fifteenth January, Anno Domini one thousand eight hundred and fifty-five, be and the same are hereby declared to be valid and effectual conveyances in the law, for the purpose of vesting in the said life insurance company, the grantee in them named, the estate by the said deeds conveyed, notwithstanding the fact that the said grantee is a corporation foreign to the state of

Pennsylvania; and that any and all rights of escheat existing in the commonwealth, if any such there be by reason of such conveyances, be and the same are hereby released, so that the said deeds shall have the like effect in law, in all respects, as if said corporation had been authorized by law to receive the estate by such deeds conveyed.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 466.

## A N A C T

For the further portection of the wholesale and retail Merchants in the city and county of Lancaster.

### Preamble.

WHEREAS, It has become a subject of general complaint among the wholesale and retail merchants in the city and county of Lancaster, that their business is greatly interfered with and infringed upon by the different traveling agents of merchants residing in the cities of New York, Philadelphia, Baltimore, and elsewhere, who come into said county to sell and dispose of goods for their employers, by sample, order and otherwise, without having first obtained a license for that purpose:

*And whereas,* For the purpose of providing further for the protection of the wholesale and retail merchants of said county; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act it shall not be lawful for any merchant, or his traveling agent, not residing within said county, to sell by sample, order, or otherwise, in the said city and county of Lancaster, any goods, wares or merchandise, by wholesale or retail, without having first obtained from the treasurer of said county of Lancaster a license for that purpose.

Non-residents  
not to sell by  
sample or other-  
wise, without li-  
cense.

Selling without  
license a misde-  
meanor.

Penalty.

SECTION 2. Any such sale made as aforesaid, by any merchant, or his traveling agent, without license obtained as aforesaid, within the limits of the county aforesaid, shall be held and deemed a misdemeanor, punishable by fine or imprisonment, at the discretion of the court; and it shall be lawful for any con-

stable, residing in any of the townships, wards or boroughs of said city and county, either upon his own knowledge or the complaint of any citizen of said city or county, to arrest any person or persons engaged in making sales as aforesaid, by sample or order, and convey him or them before any alderman or justice of the peace residing in said city or county of Lancaster; and unless the said person or persons, selling as aforesaid, shall be able to exhibit his, her or their license from the said treasurer of the said county of Lancaster, said alderman or justice of the peace to require such person or persons so arrested, to enter into bonds, with approved security, for his, her or their appearance at the next court of quarter sessions to answer, and in default thereof, to be committed to the proper jail in said county.

Duty of constable and justice of the peace.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 467.

## A N A C T

Relating to the election of Officers in the Mansfield Iron Works Company.

WHEREAS, The stockholders of the Mansfield iron works, a company incorporated under the provisions of the general manufacturing law of the commonwealth of the first of April, one thousand eight hundred and forty-nine, and its supplements, have failed to elect officers of said company at the time fixed by the by-laws of the company for that purpose, or within sixty days thereafter.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That an election of officers of said company, by its stockholders, may be held at any time within sixty days after the passage of this act, on such day as the acting president or any two of the directors of the company may appoint, at the usual place of holding such elections, and on two weeks' previous notice thereof, published in two newspapers in the county of Tioga; which elec-

tion shall be as valid, to all intents and purposes, as if it had been held at the time fixed by the by-laws of the company.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 468.

## A FURTHER SUPPLEMENT

To the act to incorporate the Norristown and Freemansburg Railroad Company, passed April third, one thousand eight hundred and fifty-two, by supplement, passed April sixth, one thousand eight hundred and fifty-four, changed to the corporate name of the Norristown and Allentown Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the charter of the Norristown and Allentown railroad company be and is hereby extended for the period of eight years from the passage of this act, so far as relates to the completion of the said road; and that the making of surveys by authority of the board of directors, the issuing of stock by the corporation, the paying in of instalments due on stock, and the election of a board of directors, president and other officers annually by said corporation, is hereby deemed and declared to be a commencement of the said road.

Charter extended as relates to completion.

SECTION 2. That it shall and may be lawful for the Norristown and Allentown railroad company to sell to and merge the whole or any part of its corporate rights, powers, franchises and privileges, into the Philadelphia, Germantown and Norristown railroad company, so that, by virtue of this act, the Norristown and Allentown railroad company may, from time to time, as hereinafter provided, sell and transfer the whole or any part of its property, right, franchises and privileges to the Philadelphia, Germantown and Norristown railroad company.

May merge its rights, &c., into another road.

SECTION 3. That said sale and transfer shall be made under the following conditions and restrictions, to wit: That the directors or board of managers of each of said corporations may enter into a joint agreement, under the corporate seal of each company, for the sale and transfer of the Norristown and Allentown railroad by sections, prescribing the terms and conditions,

Conditions and restrictions of sale and transfer



and the manner of converting the capital stock, or any part thereof, into the capital stock of the Philadelphia, Germantown and Norristown railroad company, and all other such provisions as they shall deem necessary to perfect the said sale and transfer: *Provided however*, That no transfer shall take place until the Norristown and Allentown railroad company shall have graded and laid the track upon at least nine miles of their road, commencing at Norristown terminus and running toward the Allentown terminus; and as each additional section of five miles or more is from time to time graded, and the track thereon laid, the same may be transferred, until all the corporate rights and privileges and franchises of the Norristown and Allentown railroad company are merged in the Philadelphia, Germantown and Norristown railroad company; said agreement, providing for the sale and transfer, shall be submitted to the stockholders of each of the said companies, at a meeting thereof, called separately, for the purpose of considering the same; of the time, place and object of the meeting due public notice shall be given, by publication in at least one newspaper published in the city of Philadelphia, and in each of the counties through which the said roads respectively pass; and at the said meeting of the stockholders the agreement of the said directors shall be considered, and a vote by ballot taken for the adoption or rejection of the same, each share entitling the holder thereof to one vote; and the ballots shall be cast in person or by proxy; and if a majority of all the votes cast at each of such meetings shall be in favor of the adoption of said agreement, then that fact shall be certified by the secretary of such company, which, together with a copy of the agreement, shall be filed in the office of the secretary of the commonwealth, and shall be deemed and taken to be the agreement, and act of sale, and transfer of so much of the road as is contained in said article of agreement; and every section of the said road thus sold and transferred, shall be the absolute property of the Philadelphia, Germantown and Norristown railroad company, and be under and subject to their control as firmly and effectually as if originally embraced in act of incorporation of the said Philadelphia, Germantown and Norristown railroad company; the said agreement for the sale and transfer may be entered into at any time after the passage of this act.

SECTION 4. That the Philadelphia, Germantown and Norristown railroad company, for the purpose of effecting said purchase and transfer, are hereby authorized to create and issue shares of their stock, of the par value of fifty dollars each, to the stockholders of the Norristown and Allentown railroad company, in amount sufficient to pay such price as may be agreed upon and stipulated by each of the said companies, as part of the agreement of such sale and transfer; and the stock so created and issued shall become part of the capital stock of the said Philadelphia, Germantown and Norristown railroad company, and the holders thereof shall become stockholders in said company, and enjoy such privileges as are stipulated in said written agreement of sale and transfer.

New shares of stock may be issued to stockholders of Norristown and Allentown railroad company.

SECTION 5. That if it shall be deemed advisable, the Philadelphia, Germantown and Norristown railroad company are hereby

Philadelphia,  
Germantown and  
Norristown rail-  
road company to  
elect additional  
directors, &c.

authorized, at the next annual election after the sale and transfer of the first section of the Norristown and Allentown railroad as aforesaid, to elect three additional directors, in the same manner as their directors are now elected, and thereafter their board shall consist of fifteen directors, to be elected as is provided by their charter; and the three directors thus elected as above, shall determine, by casting lots, whose term shall expire in one year, whose term shall expire in two years, and whose term shall expire in three years: *Provided however*, That this section, to become part of the charter of said company, shall be embraced in the said written agreement, and be submitted to the vote of the stockholders of said company as part of said agreement.

Proviso.

Certified copies  
of proceedings to  
be recorded.

SECTION 6. That a certified copy, under oath or affirmation, of the proceedings of said meetings of stockholders, made by the secretaries thereof, respectively, and attached to said agreement, shall be duly recorded in the office of the recorder of deeds for the city of Philadelphia, and in the counties of Montgomery and Lehigh; and certified copies thereof shall be evidence of the lawful holding and action of such meetings, and of the sale and transfer of any section of the Norristown and Allentown railroad to the Philadelphia, Germantown and Norristown railroad company.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 469.

## A SUPPLEMENT

To an act to appoint Commissioners to run the line between the counties of Luzerne and Columbia.

Preamble.

WHEREAS, By an act of the general assembly, passed the twenty-first day of February, Anno Domini one thousand eight hundred and fifteen, appointing commissioners to run and mark the line between the counties of Luzerne and Columbia, in the following manner, viz: Beginning at the south-west corner of Salem township; from thence to continue on the west side of said township to the north-west corner thereof; from thence to the south corner of Huntington township; thence run up the west line of said Huntington township to the north-west corner of the same; thence by a direct line to the corner boundary of

Lycoming county; and by examination it appears, that about three miles of the south end of the line on the west of Huntington township was not run or marked, as no trace of any such line can be found, and said line being entirely uncertain and unknown; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Solomon Neyhart, of Columbia county, Samuel Hoyt and Emry Ink, of Luzerne county, are appointed commissioners to run and adjust the line between the said counties of Luzerne and Columbia, along the west side of Huntington township, which does not appear to have been run and marked in pursuance of the above recited act. Commissioners and duties of.

SECTION 2. And after running and marking said line, said commissioners shall make a draft of the same of each county, and deposit a draft of the same in the office of the clerk of the court of each, Luzerne and Columbia counties, after which the same shall be the lines between the counties of Luzerne and Columbia. Draft to be made and where deposited.

SECTION 3. That each of said commissioners shall receive for their services three dollars per day, to be paid equally by the counties of Luzerne and Columbia, they being duly sworn or affirmed before entering on the duties enjoined upon them by this act. Compensation.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 470.

## A N A C T

To authorize the payment of the Claim of Jonas Rumple, of Lancaster county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be authorized and directed to pay to Jonas Rumple the sum of forty-five dollars and twenty-one cents, the amount due him for hardware, et cetera, delivered by him to the officers of the Eastern division of the Pennsylvania canal, for

the use of the commonwealth, during the year one thousand eight hundred and fifty-three, to be paid out of any moneys not otherwise appropriated: *Provided*, That the auditor general shall be of opinion, and certify the fact to the state treasurer, that the amount aforesaid is justly due the said Rumble, and that the same has not been heretofore settled or adjudicated.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 471.

A N A C T

For the better security of the holders of the bonds of Passenger Railways in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That every act of assembly authorizing any passenger railway company in the city of Philadelphia to issue bonds, shall be construed to authorize such company to mortgage their road and franchises to secure such bonds.*

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 472.

## A N A C T

Extending the powers and duties of the Auditors and Supervisor of Tremont township, Schuylkill county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* it shall and may be lawful for the auditors and supervisor of Tremont township, Schuylkill county, or a majority of them, to settle and adjust the account of Frederick Bultz, one of the contractors for the making and repairing said township road for the year one thousand eight hundred and fifty-nine, and allow the said Frederick Bultz such extra compensation as to them shall seem just and right.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 473.

## A N A C T

Relative to the Claim of Israel Grafius, of Huntingdon county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the auditor general, attorney general and state treasurer be and they are hereby authorized to examine the claim of Israel Grafius, of Huntingdon county, for damages done to his real estate, situated in Porter township, in said county, in the construction and use of the Upper Juniata division of the Pennsylvania canal, and by the appropriation by the officers of the commonwealth of certain lots of ground for the use of the lock-houses on said

property, and to report the amount they find due said Grafius to the next legislature.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 474.

## AN ACT

In relation to the rights of Stockholders in certain Corporations.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That at the election of officers or the meeting of the stockholders in the Lewistown gas company, the Lewistown water company, the Lewistown and Tuscarora bridge company, and the Lewistown and Kishacoquillas turnpike company, every stockholder in each of said companies, respectively, shall be entitled to one vote for each and every share of stock which shall be held and owned by such stockholder at the time of such election or meeting, and which shall have been so held and owned, and standing in the name of such stockholder, on the books of the company, two weeks previous thereto: *Provided,* That all the instalments called for and due on each share of said stock so held by such stockholder, shall have been fully paid.

Votes of stockholders in certain corporations.

Proviso.

Books of companies to be subject to inspection of stockholders.

SECTION 2. That all books, papers and documents belonging to each of said companies shall, at all reasonable times, be subject to the inspection of any stockholder of such company; and any officer or person having the possession or custody of any such book, paper or document, who shall refuse to produce and submit the same to the inspection of any such stockholder as aforesaid, shall be guilty of a misdemeanor, and shall forfeit and pay to such stockholder the sum of fifty dollars for every such offence, to be recovered as debts of like amount are by law recoverable.

Election of officers of the Lewistown and Tuscarora bridge company.

SECTION 3. That the election of officers in the Lewistown and Tuscarora bridge company shall hereafter be held on the second Monday of January, in each succeeding year, instead of the first Monday.



SECTION 4. That so much of any act of assembly as is herein Repeal. altered or supplied, is hereby repealed.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 475.

A N A C T

Authorizing the Auditor General and State Treasurer to examine the claim for damages of John Kennedy, senior, of Lewistown, Mifflin county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the auditor general and state treasurer be and they are hereby authorized and required to examine the claim for damages of John Kennedy, senior, of Lewistown, Mifflin county, and report the amount thereof, if any, to the legislature, during the present or the next session thereof.*

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 476.

## A SUPPLEMENT

To an act to incorporate the Byberry and Andalusia Turnpike Road Company, approved the fourteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Byberry and Andalusia turnpike road company be and they are hereby authorized to extend their road from the Byberry meeting house, to the Byberry and Bensalem turnpike road, by such route or routes as they may deem most expedient, subject to all the provisions of their charter, not inconsistent herewith.

May extend road

Collection of  
tolls. relative to.

SECTION 2. That in all cases where said company are now by law authorized to collect and receive fractions of a cent, as toll for the use of their road, they are hereby authorized and empowered to collect and receive one cent therefor; and all the remedies for the enforcement of the payment of tolls, or for the punishment of any person or persons neglecting or refusing to pay toll for the use of said road, heretofore conferred upon said company, are hereby extended to the tolls chargeable under this act.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 477.

## A FURTHER SUPPLEMENT

To an act to authorize the Schuylkill Valley Railroad Company, in the county of Schuylkill, to extend their railroad from some suitable point near the town of Tuscarora, to connect with the Little Schuylkill Railroad at or near the town of Tamaqua.

WHEREAS, By the second section of the charter extending said road, passed and approved the eighth day of March, Anno Domini one thousand eight hundred and fifty-nine, the said com-

pany are compelled to open for use the said connection within eighteen months from the passage of said act :

*And whereas*, It being impossible to make and complete said road within the time specified in said act ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That it may and shall be lawful for the president and managers of the Schuylkill Valley railroad company, to complete and open for use the said connection, specified in the act approved the eighth day of March, Anno Domini one thousand eight hundred and fifty-nine, within twelve months from the passage of this act.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 478.

## A N A C T

Relating to Justices of the Peace and their sureties, in the county of Luzerne.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That whenever any surety of any justice of the peace, in and for the county of Luzerne, shall for any reason become apprehensive and really believe that the said justice of the peace designs or contemplates fraudulent insolvency, or other official misconduct, to the injury of the said surety, it shall be lawful for the said surety to file in the office of the prothonotary of said county his affidavit thereof ; whereupon the said prothonotary shall issue to the said surety a certified copy thereof, with a rule upon the said justice of the peace to appear within twenty days after the service thereof upon him personally by copy, either before the court of common pleas of said county, if in court time, or if in vacation, before one of the judges of said court at chambers, and substitute other bail or surety, to be approved by said court or judge ; and on proof of service as aforesaid, the said original surety shall be exempt from liability for any official acts of the said justice, from and after the service of the said rule ; and

Sureties of justices of the peace.

from and after the service of the said rule, until other surety is substituted, the office of said justice shall be suspended, and it shall not be lawful for him to perform any official act during said interval.

Refusal of justices to give new security, relative to.

SECTION 2. That if the said justice shall neglect or refuse to give such other security as aforesaid, the said court shall transmit to the governor of this commonwealth an exemplification of the proceedings in the premises, and the governor shall thereupon remove such delinquent from office, and shall give the proper legal notice of such removal; and the vacancy thereby occasioned in such office, shall be filled as is directed by existing laws in regard to vacancies occurring by death or resignation.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 479.

## AN ACT

For the laying out of a State Road from the public house of Samuel Milddenberger, in Tunkhannock township, Monroe county, on the Wilkesbarre and Easton Turnpike, to the public Road leading to Albrightsville, White Haven, et cetera, at or near the lumbering establishment of John and Reuben Meckess, in Kidder township, Carbon county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That William S. Reese and William Eboch, commissioners of Monroe county, and Philip Woodring, of Carbon county, be and are hereby appointed commissioners, to lay out a state road from the public house of Samuel Milddenberger, in Tunkhannock township, Monroe county, on the Wilkesbarre and Easton turnpike, to the public road leading to Albrightsville, White Haven, et cetera, at or near the lumbering establishment of John and Reuben Meckess, in Kidder township, Carbon county.

Commissioners.

Route.

To be sworn.

SECTION 2. That the said commissioners, or a majority of them, after being first sworn or affirmed to perform the duties enjoined upon them with fidelity, shall carefully view the ground between the proposed points for said road, and shall lay out the same in as nearly a straight line as the nature of the ground

and other important circumstances will permit, so as to promote the public good; and they shall be authorized and empowered to employ two chain bearers, one axeman, and one staff bearer, at a per diem allowance not exceeding one dollar and fifty cents per day for each person so employed.

SECTION 3. That the said commissioners shall cause the road which they shall lay out to be distinctly marked upon the ground, and shall cause three accurate drafts to be made of the said road, noting thereon the courses and distances, streams of water, and township and county lines, one of which shall be deposited in the office of the secretary of the commonwealth, and one in the office of the clerks of the respective courts of quarter sessions of Monroe and Carbon counties, on or before the first day of December next; and from the time of the same being so filed, the said road shall be a public highway, and shall be opened, repaired and kept in order, by the supervisors of the respective townships through which it shall pass, as other public roads and highways are now by law required to be opened and repaired, and to be of the width of thirty-three feet.

Drafts.

Where and when to be deposited.

Width.

SECTION 4. That the compensation of said commissioners shall be two dollars per diem each, with a like compensation to a surveyor, if necessary, for every day necessarily employed by virtue of this act; and the accounts of said commissioners for their own pay, and the pay of their surveyor, and hands aforesaid, shall be adjusted and allowed by the commissioners of Monroe and Carbon counties, in proportion to the distance run in said counties, and paid by the treasurers thereof, by warrants drawn in the usual way; and if any vacancy shall happen in the board of commissioners, by resignation or otherwise, the remaining two shall be authorized to fill the vacancy by a suitable appointment.

Compensation.

Vacancies, how supplied.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 480.

## AN ACT

For the more prompt payment of the School Tax in the city of Lancaster.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

the school directors of the city of Lancaster shall have power to grant such abatement of the school tax of said city, not exceeding five per cent., for prompt payment, and to make such addition for non-payment, not exceeding five per cent., as shall promote the speedy collection thereof, and to fix the amount of said abatement and addition annually, and the days when the same shall cease and take effect, as the case may be; and said school tax shall be levied and assessed according to the provisions of the act, entitled "An Act for the regulation and continuance of a system of education by common schools," approved the eighth day of May, one thousand eight hundred and fifty-four, and the several supplements thereto; and the tenth section of the act, entitled "An Act relating to the common schools of the city of Lancaster," approved the twenty-second day of January, one thousand eight hundred and fifty, is hereby repealed.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 481.

## A FURTHER SUPPLEMENT

To an act to incorporate the Windsor Haven Bridge Company, approved April seventh, Anno Domini one thousand eight hundred and forty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the time for commencing the erection of bridge at Windsor Haven shall be extended until the expiration of two years from the passage of this supplement, and the time for the completion of the same shall be extended for five years from the passage of this supplement.*

SECTION 2. That the company, after the completion of the said bridge, shall be authorized to demand the same tolls as are authorized to be demanded by the company, entitled "The president, managers and company of the Schuylkill bridge," at or near Mohr's tavern, incorporated under an act of assembly, ap-



proved the seventeenth day of May, one thousand eight hundred and thirty-six.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 482.

## AN ACT

To divide the Fifth Precinct of the Seventeenth Ward, in the city of Philadelphia, into two Precincts.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the fifth precinct of the Seventeenth ward, in the city of Philadelphia, be and the same is hereby divided into two precincts or election divisions, to be called the fifth and tenth precincts thereof; the elections hereafter to be held in the tenth precinct, shall be held at the house now occupied by John M'Cartney, at the south-east corner of Thompson and Cadwallader streets.

SECTION 2. 'The tenth precinct, as aforesaid, shall be bounded as follows, viz: On the east side by Second street, from Thompson street to Girard avenue; on the south by Girard avenue, from Second to Sherlota street; on the west by Charlotte street, from Girard avenue to Thompson street; on the north by Thompson street, from Second to Sherlota street.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 483.

## A N A C T

Relating to Tolls on the Wellsborough and Tioga Plank Road Company.

WHEREAS, As the act chartering the Wellsborough and Tioga plank road company has been so amended as to change said road into a dirt road ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the rates of toll to be charged hereafter by said company shall not exceed one cent per mile for two horse teams, and one half cent per mile for one horse teams ; and in no case shall said company charge more than one half the amount of toll charged by said company when their road was planked.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 484.

## A N A C T

To provide for the Recording of a Plot in the town of Ridgway, Elk county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John J. Ridgway may cause to be prepared a draft or plot of his plan, on the east side of the Clarion river, of the town of Ridgway, Elk county, as laid out by him, of his lands therein ; which plot or draft shall be filed of record in the office for recording of deeds for Elk county, and shall be considered and taken as parts of all deeds, contracts or other instruments in which the same is referred to, either in the body or by endorsement thereon, or by naming therein the streets, lanes, alleys or roads, lots or numbers, set forth in said plot ; and in all contro-

versies and questions arising from or under any such deeds, contracts or instruments, or relating to any of the lots or premises referred to in said plot, the title to which shall have been transmitted by or through Jacob Ridgway, deceased, or John J. Ridgway, shall be competent evidence of the several matters therein contained; and it shall be the duty of the recorder of deeds to note upon the said plot when the same is filed, and that the same is filed in pursuance of this act of assembly: *Provided*, That the said John J. Ridgway, or his legally constituted attorney, shall make affidavit upon said plot or draft that the same is correct, and accurate from actual survey.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 485.

## A N A C T

Relating to the filing of Liens and collection of Taxes in the borough of Allentown.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the second section of the act relating to boroughs, passed on the third day of April, one thousand eight hundred and fifty-one, shall not be so construed, so far as relates to the borough of Allentown, in Lehigh county, as to prevent the recovery by said borough, from a lot owner, of the costs of sidewalks, curbstones and gutters mentioned in the fifth and sixth article of said section, where a claim of lien shall not be properly filed within the thirty days therein mentioned; but the said borough may, at any time within one year after such walk has been done, proceed to file its lien, as provided in the said section, or at the option of said borough commence an action for the recovery thereof within six years: *Provided*, That this act shall not apply to any claims now filed, or to any pending suit, nor shall the lien of any such claim take effect except from the day it shall be filed.

Construction of  
certain act.

Proviso.

SECTION 2. That from and after the passage of this act, it shall be lawful for the town council of the said borough of Allentown, and they are hereby required to appoint a collector of borough

Collector of bo-  
rough taxes to be  
appointed.

Provide.

taxes, and to demand security, to be approved of by the burgess and president of council: *Provided*, That all laws, inconsistent herewith, are hereby repealed.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 486.

# AN ACT

Authorizing the Auditor General and State Treasurer to examine the Claim for Damages of Christ, Long and Company, of Lancaster city, Lancaster county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the auditor general and state treasurer be and they are hereby authorized and required to examine the claim for damages of Christ, Long and Company, of Lancaster city, Lancaster county, and report the amount thereof, if any, to the legislature, during the present or the next session thereof.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 487.

## A SUPPLEMENT

To the act incorporating the Nanticoke and Hughesville Turnpike Company, passed April first, one thousand eight hundred and thirty-six, with supplements, April twenty-sixth, one thousand eight hundred and fifty, March twenty-sixth, one thousand eight hundred and fifty-two, and April twenty-sixth, one thousand eight hundred and fifty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That if the president and managers of the Nanticoke and Hughesville turnpike company deem it expedient, they may terminate said road at the borough of New Columbus: *Provided*, That the stockholders give their assent as to be favorable to such termination: *Provided further*, That the time for completing said road shall extend five years from the passage of this act.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 488.

## A N A C T

To incorporate the Brush Valley Turnpike Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Thomas Wolf, Martin Rudy, John McCall, Abraham Frederick, Commissioners. Jacob Frederick, Daniel Rengler, — Reynolds, Samuel Strohecker, George Weaver, Frederick Burket, Samuel Frank, or a majority of them, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company by the name, style and title of the Brush Valley turnpike company, with power to construct a road from a point at or near the saw mill of Reynolds and Stover, in Miles township, Centre

Subject to.

county, to a point at or near Heberling's saw mill, in West Buffalo township, Union county, by the nearest and best route for the same, as may be determined by the stockholders, subject to all the provisions, and restrictions and privileges of an act, entitled "An Act regulating turnpike companies," approved the twenty-sixth day of January, Anno Domini one thousand eight hundred and forty-nine, and the several supplements thereto.

Capital.  
Proviso.

SECTION 2. That the capital stock of said company shall consist of one hundred shares of fifty dollars each: *Provided*, That said company may from time to time, by a vote of the stockholders at a meeting called for that purpose, increase their capital stock to such an amount as shall be sufficient to carry out the true intent of this act.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 489.

## A N A C T

To declare the East Branch of Twolick Creek, in Indiana county, a public highway.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the East Branch of Twolick creek, from its mouth up to the bridge over said creek, on the public road from Greenville to the Cherry Tree, in Indiana county, be and the same is hereby declared a public highway.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.



No. 490.

## A FURTHER SUPPLEMENT

To the several acts of Assembly providing for the incorporation of Manufacturing and Improvement Companies within this Commonwealth.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the provisions of the act, entitled "A further supplement to the act to encourage the manufacture of iron with coke or mineral coal, et cetera," passed the seventh day of April, Anno Domini one thousand eight hundred and fifty-eight, be and the same are hereby extended to all companies incorporated in pursuance of the act to encourage manufacturing operations within this commonwealth, passed the seventh day of April, Anno Domini one thousand eight hundred and forty-nine, and the several supplements thereto, and of the act to enable joint tenants, tenants in common and adjoining owners of mineral lands in this commonwealth, to manage and develop the same, passed the twenty-first day of April, Anno Domini one thousand eight hundred and fifty-four; and to all companies incorporated by or under any law of this commonwealth for the improvement and development of any coal or mineral lands held by tenants in common thereof; and the executors or administrators of any deceased tenant in common of said lands, may, and they are hereby authorized to convey the undivided estate and interest of such decedent therein to such company, receiving therefor so much stock in such company as the said decedent would have been entitled to receive in his life time, to be held in the same manner as the lands: Provided, That no directions or limitations contained in any last will and testament of such decedent shall be in any manner interfered with: And provided, That before making such conveyance, such executors or administrators shall give sufficient security, to be approved by the orphans' court having jurisdiction of their accounts, for the faithful application of the stock received therefor.*

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 491.

## A N A C T

To declare a part of Whitmore run or creek, in the county of Clearfield, a public highway.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Whitmore run or creek, in the county of Clearfield, be and the same is hereby declared to be a public highway, from its mouth to Joseph Patterson's saw mills, in said county.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 492.

## A N A C T

Relating to certain Judgments in Lawrence county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* an act, entitled "An Act authorizing the court of common pleas of Lawrence county to open certain judgments," approved March twentieth, Anno Domini one thousand eight hundred and sixty, be and the same is hereby repealed.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 493.

## A N A C T

Relative to the Claim of E. J. Keenan, Register of Wills in Westmoreland county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the auditor general and state-treasurer are hereby required and directed to examine and settle the amount which they may find to be a fair and just compensation to E. J. Keenan, register of wills of Westmoreland county, for services rendered in relation to the collection of collateral inheritance tax in said county, and in procuring and arranging books, in accordance with the provisions of an act to create a sinking fund, and to provide for the gradual and certain extinguishment of the debt of the commonwealth, approved the tenth day of April, one thousand eight hundred and forty-nine; and that the state treasurer be and is hereby directed to pay said E. J. Keenan the amount so ascertained, out of any moneys in the treasury not otherwise appropriated.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 494.

## A N A C T

To repeal the act, approved the twentieth day of April, one thousand eight hundred and fifty-eight, supplementary to an act, approved the thirty-first day of March, one thousand eight hundred and fifty-six, to regulate the sale of Intoxicating Liquors, so far as said supplementary act applies to the county of Potter.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

Repeal.

the act, approved the twentieth day of April, one thousand eight hundred and fifty-eight, being a supplement to an act, entitled "An Act to regulate the sale of intoxicating liquors," approved the thirty-first day of March, Anno Domini one thousand eight hundred and fifty-six, be and the same is hereby repealed, so far as said act applies to Potter county.

Provisions of certain act restored.

SECTION 2. That all parts of the act of one thousand eight hundred and fifty-six, as aforesaid, which were repealed by the supplementary act of the twentieth of April, as above mentioned, are restored to their full effect and force, the same as if they had never been repealed, so far as they relate to the county of Potter.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 495.

## A N A C T

To extend the Waynesburg Turnpike Road, and to increase her corporate powers.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Waynesburg turnpike road company is hereby authorized and empowered to extend the said road from the terminus thereof, at the east end of Morrisville, in Greene county, by the way of Jefferson, to a point to be selected by the said company, on the Monongahela river, in Greene county, Pennsylvania, and to extend the said road from the western terminus, at the Bates Fork of Ten Mile creek, by the way of Hopkins's mill, in Greene county, and thence by the nearest and best route to Prosperity, in Washington county, Pennsylvania, subject to all the provisions and restrictions of an act regulating turnpike road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the several supplements thereto.

Authorized to extend road.

Subject to.

May increase capital stock.

SECTION 2. That the capital stock of said company may be increased from time to time, by a vote of the stockholders, at a meeting called for that purpose, so much as may be necessary

to complete the said road and carry out the true intent of this act.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*  
WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-sixth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 496.

## A N A C T

Concerning the conveyance of Real Estate in this State, for the security of the School Fund of the State of Connecticut.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the consent of this state be and the same is hereby given to all conveyances of real estate in this state, for the security, protection and benefit of the school fund of the state of Connecticut, and the same shall be valid in law, to all intents and purposes, as if such conveyance had been made to a citizen of this state; and such real estate may be transferred by, and security therefor be taken to the said state of Connecticut, in the same manner as is provided by the laws of this state in relation to such conveyances and security when executed or taken by any citizen of this state: *Provided,* That in all securities to be taken by the said state of Connecticut, an option shall be reserved to the obligor to pay the whole or any part of the sum secured at any time.

School fund of the state of Connecticut, relative to.

Proviso.

SECTION 2. *And be it further enacted,* That all deeds or other conveyances of real estate, to be executed by the treasurer of the said state of Connecticut, and which shall be acknowledged before, and certified to by the secretary of the said state, under the seal thereof, may be recorded in the proper offices within this state, without further proof thereof; and every such conveyance or record thereof, or transcript of such record duly certified, may be read in evidence, as if such conveyance had been duly acknowledged before the proper court in this state.

Deeds and other conveyances, where to be recorded.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 497.

## A N A C T

To set off a portion of the borough of Wilkesbarre, in the county of Luzerne, into a separate Ward.

Boundaries of  
South ward.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* that portion of the borough of Wilkesbarre lying below the line of South street extended to the Susquehanna river, and to the new line of said borough crossing the canal, be and it is hereby constituted a separate ward, by the name of the South-west ward of the borough of Wilkesbarre.

To form a separate election district.

Officers to be elected.

SECTION 2. That the said territory shall form and constitute a separate election district, and the qualified electors therein shall, whenever necessary, vote for and elect two justices of the peace, one constable, one assessor and two assistant assessors, when necessary, one overseer of the poor, one school director annually, to serve three years, one member of the town council, to serve three years, or to fill vacancies, one judge and two inspectors of election, and with the other wards, vote for and elect one high constable and one auditor, to serve for three years, or to fill a vacancy: *Provided*, That only one justice of the peace shall be elected during the unexpired term of Esquire Lander, now acting in said territory; which said elections shall be held at the times now fixed by law for electing such officers, and at the place hereinafter mentioned, and that one return judge from each ward shall meet together at the place where the town council hold their meetings, on the day after each election, and there add together the votes given for the several officers to be elected by the united vote of the three wards, in respect to each office or station, and give certificates and make returns as now required on the election of such officers; those having a plurality of all the legal votes given in the three wards, being returned as duly elected.

Proviso.

Where elections  
to be held.

SECTION 3. That the general and ward election within said ward shall be held at the school house in Cinder alley.

Judge and inspectors.

SECTION 4. That the following named persons, namely: C. B. Price as judge, and Rowland Metcalf and Franklin Lander as inspectors, shall be the officers to hold the general and all other elections until others be duly elected or appointed.

First election.

SECTION 5. That the first election for election officers and ward officers, as fixed in this act, shall be held at the time now fixed by law for the borough or charter election in said borough, and that the high constable put up the usual notices of the same within said ward.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.



No. 498.

## A SUPPLEMENT

To an act authorizing the German Evangelical Protestant Church of Pittsburgh to lease and improve a certain Lot, and remove the Dead buried therein, approved February eighteenth, one thousand eight hundred and sixty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That nothing contained in the act to which this is a supplement, shall be construed to impair or affect any title to the lot described in said act, existing at the time of the passage thereof.*

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 499.

## SUPPLEMENT

To an act to incorporate the Philadelphia Musical Saving and Loan Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the said Philadelphia Musical saving and loan company shall have, for the purpose of protecting its members from the frauds of imposters, the right to take a defeasible conveyance from any person purchasing a piano forte from said company, and the same shall be recorded in the office of recorder of deeds of the city and county of Philadelphia; which conveyance shall have the same effect as a conveyance drawn in pursuance with the conditions of an act, entitled "An Act for the better security of laborers, mechanics and others, in certain companies," approved*

October thirteenth, Anno Domini one thousand eight hundred and fifty-nine.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 500.

# AN ACT

To secure a stricter accountability of certain Public Officers in Potter county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the provisions of the first, second, third, fourth, fifth, seventh, eighth, tenth and eleventh sections of an act, entitled "An Act to secure a stricter accountability of certain public officers in Schuylkill county," approved the seventeenth day of February, Anno Domini one thousand eight hundred and fifty-nine, be and the same are hereby extended to the county of Potter: Provided, That the third section of said act shall be amended in the first line, by striking out the word ten and insert three.*

SECTION 2. That all acts and parts of acts of the general assembly, inconsistent herewith, be and the same are hereby repealed so far as the same relates to said county of Potter.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 501.

## A N A C T

Relating to the Fees of Auditors.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the proviso of the fifth section of the act of twenty-ninth March, one thousand eight hundred and nineteen, relating to the fees of auditors appointed by the courts of this commonwealth, be and the same is hereby repealed.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 502.

## A N A C T

To authorize the Commissioners of Somerset county to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the commissioners of Somerset county be and they are hereby authorized to borrow a sum of money not exceeding eight thousand dollars, for the purpose of paying the debts of said county, for which they may issue county bonds, redeemable at any time within five years, bearing interest at the rate of six per centum per annum, payable semi-annually.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 503.

## A N A C T

Relating to Roads and Road Viewers in the county of Dauphin.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the provisions of an act relating to road and bridge viewers in the counties of Chester and Lancaster, approved April twenty-eighth, one thousand eight hundred and fifty-seven, be and the same is hereby extended to the county of Dauphin.*

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 504.

## A N A C T

Providing for the erection of Public Buildings in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

Commissioners. the judges of the court of common pleas, the judges of the district court for the city and county of Philadelphia, the mayor, and the president of each branch of council, be and they are hereby appointed commissioners, to procure the erection of suitable public buildings, for the accommodation of the courts and public offices of the city aforesaid; said buildings to be erected on any part of Independence square, or Penn square, in said city:

Proviso. *Provided, That Independence Hall shall not be in any manner affected thereby.*

Organization. SECTION 2. That the said board of commissioners shall meet within two months after the passage of this act, and organize by the election of a president, and the appointment of a secretary, who shall be one of their number.

SECTION 3. That it shall be the duty of said board to advertise in at least two daily newspapers, published in said city, for four weeks, for plans and estimates of cost of the proposed buildings, and they shall, within four months after their first meeting, determine upon and adopt a plan, and award the contract to one or more persons, who shall thereupon enter into a contract with the said city of Philadelphia, and shall proceed, under the direction of said board, to erect said buildings and fit them up for the reception of the courts and public offices.

To advertise for plans and estimates.

SECTION 4. That the said commissioners shall prepare a contract, the terms of which shall be published at the time of advertising for the proposals for building; they shall provide terms of payment and fix the amount and kind of security, and approve the same upon the execution of the contract.

Contract, relative to.

SECTION 5. That as soon as the contract for said buildings shall be entered into, and the amount of the expense of the carrying this act into effect can be ascertained, the said commissioners shall require the mayor of said city of Philadelphia to borrow the amount necessary for the payment thereof, and he, the said mayor, shall publish proposals for a loan, to be styled the building loan of the city of Philadelphia, redeemable in thirty years after date, at an interest of six per centum per annum, upon the usual terms: *Provided*, The said loan shall be clear of state tax.

To borrow money

Proviso.

SECTION 6. That the certificates for said loan shall be issued as required, for the purposes of paying for said buildings, in sums not less than one hundred dollars, and the proceeds thereof shall be and remain in the treasury, subject to the order of the said board of commissioners for the purpose: *Provided*, That every warrant of the said commissioners shall be countersigned and approved by the city controller, in like manner as other drafts on the treasury.

Certificates of loan may be issued.

Proviso.

SECTION 7. That and for the redemption of the said loan, it is hereby provided, that the council of said city shall, in each and every year after the passage of this act, in fixing the rate of tax for city purposes, add such an amount as will enable them to raise a sum equal to the thirtieth part of the cost of carrying this act into effect, and such sums shall annually be invested in the said loan, or in other stocks of said city, as a sinking fund for the redemption of the said loan, unless sooner bought up or extinguished by the said city; and the commissioners of the sinking fund as now established by existing laws and ordinances, shall take charge of the loans herein provided for to be redeemed, and of the sinking fund herein created.

Additional tax to be levied.

Sinking fund.

SECTION 8. That the last payment shall not be made for the construction of said buildings, until the chief engineer and surveyor of the said city shall certify that the said buildings have been constructed in accordance with the contract or contracts, at which time the duties and functions of the commissioners created by the first section hereof shall cease and determine.

Last payment for construction, relative to.

SECTION 9. That if the buildings herein authorized to be erected, should, in the judgment of the said commissioners, be erected upon any other portion of Independence square than that now occupied by the court house and public offices, then the said commissioners are hereby empowered to contract for the

Location.

removal of the present court house and public offices, immediately upon the completion of the new buildings, excepting Independence Hall, as aforesaid.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 505.

## AN ACT

For the preservation of Fish in the county of York.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act until the first day of April, Anno Domini one thousand eight hundred and sixty-five, it shall not be lawful for any person or persons within the county of York, to catch or take any fish in any of the waters of said county, except the river Susquehanna, by means of any seine or net, or trap of any kind whatever, or in any other method than by angling or with the outline: *Provided,* That this section shall not prohibit the catching of bait fish or crabs with the small scoop net.

When fish may  
not be taken or  
caught.

Proviso.

Penalty.

SECTION 2. That any person violating the provisions of this act shall, for the first offence, forfeit and pay a fine of not less than five dollars, one-half whereof shall go to the informer and the other half to the county of York, and for the second a fine of not less than ten dollars, and an additional five dollars for every subsequent offence.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.



No. 506.

## A SUPPLEMENT

To an act, entitled "An Act relative to Bonds issued by the county of Allegheny for Stock in Railroad Companies," approved the thirteenth day of April, Anno Domini one thousand eight hundred and fifty-eight.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That it shall and may be lawful for any executors, administrators, guardians and trustees holding bonds of the said county of Allegheny, such as are mentioned in the act to which this is a supplement, to exchange the same for stock in the several and respective railroad companies, in the manner mentioned in the said act; and to hold or dispose of the said stock so taken in exchange, without responsibility on their part for any loss which may be occasioned by any depreciation in the value of the said stock, or the non-payment of any dividend by the said companies.*

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 507.

## AN ACT

Providing for Executions against boroughs.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That in all cases where judgments have been or shall be obtained against a borough within this commonwealth, like proceedings to enforce payment thereof out of the borough fund, may be had as are provided by law for enforcing payment of judgments against townships; and the writ of execution to be issued in*

## LAWS OF PENNSYLVANIA,

such cases shall be served upon the burgess, or treasurer, or secretary of the town council of the proper borough.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 508.

## A N A C T

Relative to Swine running at large in Armstrong township, Lycoming county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, the act of tenth of May, one thousand seven hundred and twenty-nine, in first Smith's laws, page one hundred and seventy-six, be extended to Armstrong township, Lycoming county.*

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 509.

## A N A C T

To incorporate the Rausch Creek Company.

Preamble.

WHEREAS, Peter Eckert, George Vanx, Charles Graff, Cumberland Dugan, Samuel Mifflin and others, all deceased, were

the joint owners of certain tracts of land, situate in Tremont, Frailey and Pinegrove townships, Schuylkill county, Pennsylvania :

*And whereas*, The said lands have since, by descent and otherwise, become vested in about fifty persons, and the management and leasing of the same and the coal veins thereon, has become a matter of great complication and difficulty ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That Thomas Adams, George N. Eckert, William S. Vaux, Charles Dutilh and Robert S. Hollins, and their associates and successors, be and they are hereby incorporated and made a body politic and corporate, in fact and in name, by the name of the Rausch Creek company ; and by that name shall have perpetual succession, and be capable in law of holding and conveying such real and personal property as may be necessary for the objects of this incorporation, may sue and be sued, plead and be impleaded in all courts of law and equity, may have a common seal, which they shall have power to alter and renew at pleasure.

Corporators.

Name and object

SECTION 2. That the lands to be conveyed to said company in fee simple by the parties owning the same, who are hereby authorized and empowered to make conveyance of their respective interests therein to the said company, shall form a common stock, and be divided into a convenient number of shares, and apportioned by the said company among the subscribers according to their respective interests, for which certificates of stock shall be issued, and shall be assignable and transferable in such way, and subject to such conditions, as the by-laws of said company may from time to time prescribe ; and the said shares of stock so created, shall be for all legal purposes whatever deemed and treated as personal estate : *Provided*, That the quantity of land which shall be held by said company, at any one time, shall not exceed twenty-five hundred acres.

Lands to be conveyed to company, relative to.

Proviso.

SECTION 3. That the stockholders shall meet as soon as practicable after the passage of this act, notice of the time and place of such meeting having been first given by advertisement in one newspaper, published in the county of Schuylkill, and in one daily paper published in the city of Philadelphia, and annually thereafter at such time and place as shall be fixed upon, and shall then and there proceed to elect by ballot eight directors, to serve for the term of one year, and until others are chosen in their places ; and said election shall be made by such of the stockholders of said company as shall attend for that purpose, either in person or by proxy ; each share of stock to entitle the holder thereof to one vote ; the directors so chosen shall elect one of their number to be president of the board of directors of said company ; and in case of vacancy or absence, the office shall be filled by such person or persons as the remainder of the directors or a majority of them may appoint.

Meeting of stockholders.

Election of directors.

Votes.

President.

SECTION 4. That the president and directors, or a majority of them, shall have full power to make by-laws, and to appoint such officers and agents as they shall deem expedient for the well conducting and transacting the business of the company ; to

Powers and privileges.

Provided.

declare and provide for the payment of dividends to the stockholders; and may receive, execute and deliver all such instruments of writing, and do such acts and things necessary to promote the objects and designs of said company as authorized by this act, viz: From time to time to make leases of the coal veins which may be found in the tracts of land belonging to said company, and to effect sales of the same or of portions thereof, and to do such other acts as may be necessary for the development and improvement of said lands: *Provided*, That such by-laws shall not be repugnant to the constitution and laws of this state or of the United States: *And provided*, That the said company shall have the same rights and privileges over the property, real and personal, which may be conveyed to them, as the present owners of the same now have and enjoy: *And provided*, That this act shall not be construed to confer upon said company mining or banking privileges: *Provided further*, That the capital stock and dividends of the said company shall not be taxable: *And provided*, That nothing herein contained shall be so construed as to exempt the lands which may be held by the said company from taxation.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER,

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No. 510.

## A N A C T

Supplementary to an act incorporating the town of Lawrenceville into a borough, approved the thirteenth day of February, Anno Domini one thousand eight hundred and thirty-four.

Paving streets,  
alleys, &c.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That whenever the town council of the borough of Lawrenceville, in the county of Allegheny, shall consider the paving of any street, lane or alley in said borough necessary for the convenience of the citizens thereof, it shall and may be lawful for said council to ordain, enact, repeal or amend all such by-laws, ordinances, rules and regulations as shall be deemed expedient for paving such street, lane or alley, subject to the following provisions.

SECTION 2. That immediately after the completion by said borough of the pavement of any street, lane or alley, for a distance not less than one square, pursuant to existing laws, the cost of materials furnished and paving done on such street, lane or alley, shall be ascertained by the burgess of said borough, and equally apportioned among the owners of any lots bounding and abutting on said street, lane or alley, in proportion to the feet front thereon, and comprised and bounding and abutting as aforesaid; and the burgess of said borough shall give to such owner or owners, or his, her or their agent, of any lot or lots before which any paving is done as aforesaid, a certificate in writing of the amount so ascertained to have been expended by the said borough in paving in front of his, her or their lot or lots; and if, within thirty days after said notice is given, he, she or they, or either of them, shall refuse or neglect to pay to the treasurer of said borough the amount specified in such certificate, in the manner hereinafter provided, then it shall and may be lawful for the council in said borough to collect the amount claimed, of the owner or owners of any lot or lots, by an action of debt, in the corporate name of said borough, as debts of like amount are at law collected, and the same shall be a lien on such lot or lots from the time such work is done as aforesaid; but if the owner or owners of any such lot or lots does not reside in the said borough, then and in that case a certificate put up on such lot or lots shall be notice to the owner or owners thereof; and after default for the space of thirty days, it shall and may be lawful for the said burgess to file a certificate of the amount of such material and paving, signed by him, and attested by the clerk of the council, in the office of the prothonotary of the court of common pleas for the county of Allegheny, setting forth the amount due by the said owner or owners, and it shall be the duty of the prothonotary to enter the same on his docket; which certificate shall have the same operation and effect as a judgment of the said court, and execution may issue thereon, in like manner as in judgments, for the amount remaining unpaid, with costs: *Provided*, That if any owner or owners of any lot or lots, against whom any certificate shall be filed as aforesaid, shall make an affidavit before the prothonotary of the said court, or any magistrate, that he, she or they may have a just defence to a whole or a part of the amount so claimed in such certificate, and file the same in the office of said prothonotary within thirty days of the filing of said certificate, and not after, then the prothonotary of said court shall put the cause on the trial list of the next regular term of said court, to be there tried and determined by the court and jury as cases of appeal to said court: *Provided further*, That this act shall not be so construed as to require the Citizens' Passenger railway company to pave more than one-half of any street in said borough.

Cost of paving,  
relative to ap-  
portioning of  
among lot owners

Amount claimed  
for paving, how  
collected.

Proviso.

Proviso.

SECTION 3. That upon the payment, by the owner or owners of any lot or lots, of the amount of the paving done, within thirty days after the same is completed, he, she or they shall be entitled to a credit of five per centum from the amount thereof, or at his, her or their election shall pay the one-fifth of said amount at the time of the completion of the work as aforesaid,

Per centage al-  
lowed for prompt  
payment, &c.

and the remainder in four equal annual instalments from the time the paving is done as aforesaid, with interest.

Corner lots, relative to paving of.

SECTION 4. That the owner or owners of any corner lot or lots shall be charged with the paving done to the point where the centres of the cross streets, lanes or alleys shall intersect, the costs of which shall be paid as aforesaid; and that the costs and expenses of the paving and curbing already done by the said borough, on Butler street, shall be ascertained, paid and collected as hereinbefore provided.

Portion of certain street or wharf declared a public landing.

SECTION 5. That portion of the street or wharf fronting on the Allegheny river, along the northern boundary line of said borough, and within the limits thereof, is hereby declared a public landing; and the councils of said borough shall have full power and authority to make, alter and amend all such rules, regulations and ordinances, regulating the use of the same, as they shall and may deem proper, and shall not be inconsistent with the existing laws of this commonwealth; to direct and enforce the collection of such fees, tolls and duties, in the nature of wharfage, as they may deem just and expedient; and that the existing ordinances of said borough, for the regulating of said wharf, and the collecting of wharfage thereon, which are not inconsistent with the laws of this commonwealth, are hereby declared legal and valid, and the same be and remain in force until altered, amended or repealed by the councils of said borough, as though they had been ordained and enacted after the passage of this act.

Councils to regulate the use of.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 511.

## SUPPLEMENT

To the third section of the act of April six, one thousand eight hundred and thirty, entitled "An Act for the levy and collection of taxes upon proceedings in courts," et cetera.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the prothonotaries of the courts of common pleas, of the district court of the city and county of Philadelphia, and supreme court,*



upon all original suits brought in the city of Philadelphia, shall, in addition to the sums they are now entitled to receive by the third section of the act of April six, one thousand eight hundred and thirty, to which this is a supplement, demand and receive for the use of the law association of Philadelphia, in each of the cases in the said section of the said act named, the sum of twenty-five cents; the said prothonotaries shall be responsible for the said moneys, and shall render accounts and make payments monthly, to the treasurer of the said association, whose written receipts for the said moneys shall be the only legal discharge to the said prothonotaries; and the secretary of this commonwealth shall annually, and free of charge, distribute to the treasurer of the law association of Philadelphia, fifty copies of the pamphlet laws of this commonwealth, for the purpose of enabling the said association to exchange a copy of the said laws for a copy of similar publications in the other states of this Union.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 512.

## AN ACT

Incorporating the Allegheny Male and Female Seminary at Rainsburg, Pennsylvania.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That there shall be and is hereby established, in the village of Rainsburg, in the county of Bedford, a seminary for the education of youth in the learned languages, useful arts and sciences, and general literature, by the name, style and title of the Allegheny Male and Female seminary, at Rainsburg, Pennsylvania.

*Seminary established.*

SECTION 2. That the said institution shall be under the management, direction and government of a number of trustees, not exceeding nine; and until others shall be elected as hereinafter provided, the trustees of the said academy shall consist of the following persons, to wit: Samuel Williams, Andrew J. Pennell, Peter M. Cessna, William P. Morgart, Samuel James, E. J. Osbourne, Abraham M'Clellan, A. C. James and John Fil-

*Management.*

*Trustees.*

ler, which said nine trustees and their successors, to be elected as hereinafter provided, shall forever be, and they are hereby created, established and declared to be one body politic and corporate, with perpetual succession, in deed and in law, by the name, style and title of Allegheny Male and Female seminary, at Rainsburg, Pennsylvania, and by the same name shall be able to sue and be sued, plead and be impleaded, in all courts of record and elsewhere, and shall be competent and capable in law and equity, to take and to hold, to them and their successors, for the use of said seminary, any estate, in lands, tenements or hereditaments, goods, chattels, stock, moneys or other effects, of what kind, nature or quality soever, by gift, grant, bargain, sale, conveyance, assurance, will, devise or bequest, from any person or persons, whomsoever, capable of making the same: *Provided*, That the same do not exceed the yearly value of three thousand dollars, and the same from time to time, to grant, bargain, sell, demise, alien, lease, place out at interest or otherwise dispose of, for the use and benefit of said seminary, and to receive the rents, profits, income and interest thereof, and to apply the same to the proper use of the said seminary, and to erect or purchase, and repair such buildings as may be necessary, and generally to do all and singular, acts, deeds, matters and things, which shall be lawful for them to do for the well being of the said seminary, and the due management thereof.

Seal.

SECTION 3. That the said trustees shall cause to be made for their use, one common seal, with such devices and inscriptions thereon as they shall think proper, and by and with which all deeds, certificates and acts of said corporation shall pass and be authenticated, and the same seal at their pleasure may break, alter and device anew.

Election of trustees

SECTION 4. That the first election of trustees shall take place on the first Tuesday in July, one thousand eight hundred and sixty, at the house of A. J. Pennell, in the village of Rainsburg, and annually thereafter, at such time and place as may be appointed by the board of trustees; the election shall commence at the hour of one o'clock in the afternoon, and shall continue until five o'clock, and shall be conducted by two managers, to be chosen by a majority of the stockholders present at the time of commencing said election; and the stockholders shall be allowed to vote in person and by proxy, and in the ratio of one vote for each share of stock held by him, her or them, or standing in his, her or their names in the books of the corporation; the votes shall be given by ballot, and each ticket shall contain the names of nine persons, stockholders in said corporation, a majority of whom shall be members of the Methodist Episcopal church, and those having the highest number of votes shall be the trustees of said seminary for the ensuing year, and shall continue in office until their successors are elected; if two or more persons should have an equal number of votes, the managers shall forthwith decide, by lot, which of said persons are elected.

Votes.

Certain number of trustees to be members of the Methodist Episcopal church.

Officers.

SECTION 5. That the board of trustees, five of whom shall constitute a quorum, shall annually, at their first meeting after the election, appoint a president and secretary of their own num-

ber, and elect a treasurer who shall be a stockholder; and in case of the death, resignation or refusal to serve of any trustee or other officer, the trustees in office shall have power to appoint others in their stead until the next election; and they shall also have power to enact such ordinances and by-laws as may be necessary for the well-being and government of said corporation: *Provided*, That no by-law or ordinance shall have any force and effect which shall be repugnant to the constitution and laws of the United States or of this state.

Vacancies, how supplied.

Provide.

SECTION 6. That the capital stock of said corporation shall be three thousand dollars, divided into shares of twenty-five dollars each; certificates of which shall be issued to such person or persons, who have heretofore subscribed, or may hereafter subscribe and pay money for the purpose of purchasing or building a seminary in said village, and the real estate appurtenant thereto, or to the heirs and legal representatives of such person or persons for every share which he, she or they may have, or shall subscribe for and hold in said corporation, which shall be transferable on the books of the corporation, either in person or by attorney, subject to the payment of any balance due thereon; and the capital stock of said corporation may be increased to ten thousand dollars, by a vote of the majority of the stockholders at any annual election.

Capital stock.

SECTION 7. That the treasurer shall receive and hold all moneys belonging to the corporation, and pay out the same to the order of the board, signed by the president and secretary, or a majority of the trustees, and he shall keep fair accounts thereof, which shall be audited and settled by the trustees, in the same manner as the accounts of the treasurer of common school districts are now by law audited and settled, and subject in like manner to appeal; and before entering upon the duties of his office shall give a bond with one or more sufficient sureties, to be approved of by the board of trustees, in a sum equal to double the estimated amount of money to be received by him, conditioned for the faithful discharge of the duties of his office, and the payment of all moneys remaining in his hands at the end of the year, to his successor in office; and the secretary and treasurer may receive such compensation as may be thought reasonable by the board of trustees; but no other officer shall receive any fee or reward whatever, for his services; and it shall be the duty of the trustees to report annually, at the expiration of their term of office, the condition of the finances and other affairs of said corporation; which report, together with the books of the corporation, shall be open at all proper times to the examination and inspection of all persons interested, who are at such times stockholders in said corporation.

Treasurer and duties of.

Bond.

Secretary and treasurer to receive compensation.

SECTION 8. That no misnomer of said corporation shall defeat or annul any gift, grant, devise or bequest to the said corporation: *Provided*, That the intent of the parties shall sufficiently appear in said gift, grant, will or other writing, whereby any estate or interest in any thing real or personal was intended to pass to said corporation.

Misnomer.

SECTION 9. That the said trustees of said seminary shall have power to confer such literary degrees and academic honors and diplomas as are usually granted by colleges upon such pupils as

Degrees.

shall have completed, in a satisfactory manner, the prescribed course of study.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 513.

# AN ACT

To repeal so much of the act, approved the sixteenth day of March, one thousand eight hundred and fifty-nine, as authorizes the Auctioneer for the borough and township of Wilkesbarre, to sell at Public Auction, within said borough of Wilkesbarre, all kinds of Goods, Wares and Merchandise, and all kinds of property.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That so much of the act, approved the sixteenth day of March, one thousand eight hundred and fifty nine, entitled "A supplement to an act authorizing the appointment of an auctioneer in the borough and township of Wilkesbarre, Luzerne county," approved the fifth day of March, one thousand eight hundred and fifty-eight, as authorizes the auctioneer for the borough and township of Wilkesbarre aforesaid, to sell at public auction, within said borough, all kinds of goods, wares and merchandise, and all kinds of property, be and the same is hereby repealed, so far as relates to any goods, wares or merchandise, or other property, brought from any place outside of the county of Luzerne, or from any other borough or city in the said county, into the borough or township of Wilkesbarre, for the purpose of sale at auction.*

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 514.

## SUPPLEMENT

To an act to incorporate the Williamsport and Elmira Railroad Company, to allow them to change a portion of their road in and near the borough of Williamsport, Lycoming county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Williamsport and Elmira railroad company shall have power and authority to change the location of a portion of their road, lying between Hepburn street, in the borough of Williamsport, and the siding leading to the Park basin, and to construct a new road between the points so named, on the south side of the Keystone Park grounds; and to enjoy all the rights, privileges and franchises contained in the act incorporating the Williamsport and Elmira railroad company, approved the thirty-first day of March, Anno Domini eighteen hundred and thirty-six, and the several supplements thereto: *Provided,* That the proposed new railroad track shall be located exclusively on the ground now owned, occupied or used by Peter Herdic and the Messrs. Herdic, Lentz and Whites, of the aforesaid borough.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 515.

## A N A C T

To authorize the appointment of an additional Notary Public in the county of Northumberland.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the governor be and is hereby authorized and empowered to ap-

## LAWS OF PENNSYLVANIA,

point an additional notary public for this commonwealth, to reside in the town of Shamokin.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 516.

## A N A C T

To change the place of holding Election in East Deer township, in Allegheny county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the general and special election hereafter to be held, shall be held in the public school house in said township, at the mouth of Bailey's run.*

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 517.

## A N A C T

To fix the place of holding Elections in the township of Taylor, in the county of Cambria, and for other purposes.

Preamble.

WHEREAS, Owing to an informality in the erection of the township of Taylor, in the county of Cambria, it is a contested point as to where the general, special and township elections are to be held in said township; therefore,



SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the general, special and township elections for said township shall be held in school house number five, on the farm of John Hendricks, in said township of Taylor, in the county of Cambria. Elections, where to be held.

SECTION 2. That the erection of the said township of Taylor, with its present metes and bounds, is hereby declared as good and valid as though there had been no informality in the erection of the same; and that the election held therein upon the seventeenth day of February last past, for the various township officers, school directors, et cetera, shall be deemed good and valid; and the various township officers, school directors, et cetera, elected at the above named election, are hereby authorized and empowered to act in said offices as fully as though there had been no informality or contest as to where said election should have been held. Present boundaries of Taylor township declared valid.  
Certain election validated.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 518.

## A SUPPLEMENT

To an act to incorporate the Strasburg and New Providence Turnpike Road Company, passed February twenty-fourth, A. D. one thousand eight hundred and sixty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the company incorporated under the act to which this is a supplement, shall have power to change the southern terminus of their road, from the point named in said act, to a point at or near Bassler's mill, near Carmargo, Lancaster county.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 519.

## A N A C T

Relative to surveying, laying out and establishing the Boundary Line between Lancaster and Berks counties.

*SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

Commissioners.

*Allen P. Hibshman, of the county of Lancaster, and David Steach, of the county of Berks, are hereby appointed commissioners, with authority to survey, ascertain, mark and establish the dividing line between the counties of Lancaster and Berks.*

Duties of

*SECTION 2. That it shall be the duty of the said commissioners, after having first taken and subscribed an oath or affirmation, before a justice of the peace, to perform the duties enjoined on them by this act with impartiality and fidelity, to go upon the ground, and carefully survey, ascertain, mark and establish the dividing line which separates Lancaster from Berks; which said line, so run, marked and established, shall be the boundary line dividing the said counties of Lancaster and Berks.*

Further duties.

*SECTION 3. That it shall be the duty of the said commissioners, on or before the first day of December, one thousand eight hundred and sixty, to survey, ascertain, mark and establish said line on the ground, by distinct and permanent marks, whenever and as often as the said division line crosses any public road or highway, and at such other public places and convenient distances on the aforesaid line as may be deemed proper by said commissioners; and to make two drafts of the same, certified under their hands, with courses and distances plainly laid down, with reference to the improvements through which said line may pass, one of which drafts they shall deposit in each of the offices of the clerks of the court of quarter sessions of the counties of Lancaster and Berks, as soon thereafter as practicable; which said drafts shall be filed and recorded in the same manner as reports of public roads or highways, laid out by order of courts, are now recorded, and shall be considered as public records.*

Drafts

Where to be deposited.

Compensation.

*SECTION 4. That the said commissioners shall receive, as a compensation for their services, the sum of three dollars per day each, and necessary expenses for and during the time they shall be actually engaged in the discharge of their duties; and each of the said commissioners shall have authority to appoint one chain carrier, one axeman, and such other assistants as may be necessary to carry out the intentions of this act; the said chain carriers, axemen, and other assistants, each shall receive for their services the sum of one dollar and fifty cents per day, and necessary expenses, while actually engaged by said commissioners in establishing the line aforesaid; and all the aforesaid expenses shall be equally paid by the counties of Lancaster and Berks, by the commissioners of said counties, by warrants drawn on the treasurers of their respective counties.*

How expenses to be paid

SECTION 5. That in case any of the above named commissioners <sup>Vacancies, how</sup> should decline to serve, or in case of death, the judges of the <sup>filled.</sup> court of quarter sessions of the county in which the person resided, declining or die, shall appoint a suitable person as commissioner, to fill the vacancy.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 520.

## A SUPPLEMENT

To an act to incorporate the Allegheny County Agricultural Society.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter the board of managers of the Allegheny County agricultural society shall consist of sixteen members. <sup>Number of directors.</sup>

SECTION 2. That the election of managers and officers of said society shall hereafter take place on the first Wednesday of <sup>Annual election, when held.</sup> January, in each year, and the present board of managers shall continue in office until their successors are elected.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 521.

## A SUPPLEMENT

To the act of eighth of March, one thousand eight hundred and fifty-nine, entitled "An Act relating to Road Views in Northumberland county."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* it shall be lawful for the court of common pleas of Northumberland county, on the petition of any individual or individuals, who may claim damages for the location of public roads on orders granted for viewing or locating the same, prior to the act of eighth day of March, A. D. one thousand eight hundred and fifty-nine, to appoint persons to view the road opened under such view or order, and assess the damages accruing to the landholder or landholders, through whose lands such road is located, and report the same to the court at its next sitting thereafter; and if the said court approve the same, it shall be paid as all road damages are paid under existing laws: *Provided, That* it shall be lawful for the court to grant a re-view and assessment of the damages, if sufficient cause, in their opinion, exists for the same.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 522.

## AN ACT

Authorizing Abraham Varns, of the borough of New Buffalo, Perry county, to sell and convey certain Real Estate.

WHEREAS, Abraham Varns, of the borough of New Buffalo, Perry county, is the owner of a certain house and lot situate in the said borough, which he purchased from one George Leshner, for the sum of four hundred and sixty dollars, as fully described in a certain deed of conveyance executed to him the said Abra-

ham Varns, dated the eighteenth day of August, one thousand eight hundred and fifty-six, and recorded among the records of said county, in book Q, volume one, page three hundred and seventy-one :

*And whereas*, The said Abraham Varns is now very aged and infirm, and incapable of supporting himself and earning a livelihood, and has no other means for his support than the rents derived from the said real estate, which he acquired and owned before his marriage with his present wife, Maria Varns :

*And whereas*, His said wife has since their marriage, to wit : on the fourth of January, one thousand eight hundred and fifty-eight, been found and declared to be a lunatic by virtue of a commission *de lunatico inquirendo*, regularly issued out of the court of common pleas of the said county, and is now an inmate of the Pennsylvania State Lunatic hospital and Union asylum for the insane, and is pronounced to be incurable :

*And whereas*, The said Abraham Varns, for the purpose of raising means for the support of himself and family, the rents arising from the said real estate being entirely inadequate for said purpose, is desirous to sell and convey the said property and make title to the purchaser, but cannot do so by reason of the hopeless insanity of his said wife, and the courts possess no power to relieve him in this emergency ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the said Abraham Varns shall have and possess the power to sell and convey, in fee simple, the said real estate, so that the purchaser thereof shall receive the same clear of the incumbrance and divested of all present or future claim of dower in favor of his said wife, the same title to pass to the purchaser as if she were now naturally dead : *Provided*, That before any such sale be made, the truth of the statements contained in the preamble of this act shall be made to appear satisfactorily to the court of common pleas of said county, by proper depositions or otherwise, who, upon being so satisfied, shall order such sale to be made, and the purchase money paid to said Abraham Varns ; a record of which said order shall be regularly made on the minutes of said court, and the costs of the same be paid by the alienor.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 523.

## A N A C T

To incorporate the Cream Hill Turnpike Road Company.

Capital stock.	SECTION 1. <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,</i> That whenever one or more persons shall have subscribed to the capital stock of said company, fifty shares of twenty dollars each, and shall have certified the same to the governor, it shall
When company to be incorporated.	be lawful for the governor of this commonwealth, by letters patent, under his hand and seal of state, to create and erect the subscribers and their successors, into one body politic and corporate, by the name, style and title of the Cream Hill turnpike road company, and by the same, the person or persons so incorporated, shall have perpetual succession, and all the privileges and franchises incident to a corporation, and shall be
Style.	capable of taking and holding their capital stock, and the increase and profits thereof, and of enlarging the same from time to time, by new subscriptions, in such manner and form as they shall think proper, not exceeding in the whole, two hundred and fifty shares, at twenty dollars each; said company shall have the power of taking and holding, transferring and conveying in fee simple, or for any less estate, all such lands, tenements, hereditaments and estates, real and personal, as may be necessary to them in the prosecution of their work, and in keeping up and maintaining the same, and of suing and being sued, and of doing any other matter or thing which a corporation or body politic may lawfully do.
Powers.	SECTION 2. The said stockholders are hereby authorized to elect a president, treasurer and secretary, who shall constitute also a board of managers for the direction of the affairs of said company, and who shall have power to make any by-laws for the government of the same, not inconsistent with the constitution and laws of this commonwealth.
Officers.	SECTION 3. That said company are hereby authorized to lay out, construct and complete a turnpike road, from the Susquehanna river, at the borough of Curwinsville, in the county of Clearfield, to the Jefferson county line, on the Susquehanna and Waterford turnpike road, on the same ground, as nearly as may be, occupied formerly by the said Susquehanna and Waterford turnpike road, the charter of which expired some years ago, and which has been abandoned by said company.
By-laws.	SECTION 4. That said company are authorized and empowered to use any portion or all of said road, and the materials found thereon, within the aforesaid limits, in the construction of their road; and as soon as said road is completed and placed in good condition for wagons, carriages, et cetera, to pass over it, the company are hereby authorized to erect gates upon the same, and demand and receive a rate of toll from persons passing over
Route.	
Authorized to use portion of certain road.	
Gates and toll.	



the same, not exceeding the rates authorized by the act incorporating the Susquehanna and Waterford turnpike road company, passed the twenty-second February, one thousand eight hundred and twelve.

SECTION 5. That said company, in building and constructing said road, is hereby clothed with the power and authority given to the said Susquehanna and Waterford turnpike road company, by the act incorporating the same, passed the twenty-second day of February, one thousand eight hundred and twelve, and in keeping up, maintaining and collecting tolls upon the same.

Certain powers  
extended to.

SECTION 6. That whenever it shall be found necessary to rebuild the bridge across Anderson's creek, the same shall be there-after a toll bridge, and the company shall have full power to impose a rate of toll for crossing the same, not exceeding the rates now authorized by the law incorporating the Curwinsville bridge company.

Re-building of  
certain bridge,  
relative to.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 524.

## SUPPLEMENT

Te an act to incorporate the Schuylkill and Susquehanna Railroad Company, approved the first day of April, one thousand eight hundred and fifty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Schuylkill and Susquehanna railroad company shall have power to extend their road to connect with any railroad within four miles of said Schuylkill and Susquehanna railroad: Provided, That the entire charge for freight on coal on said branch or branches, shall not exceed three (3) cents per ton of two thousand two hundred and forty pounds per mile: And provided further, When the tonnage shall exceed two hundred thousand tons annually, then the entire charge for freight and transportation shall not exceed two and one-half (2½) cents per ton per mile: Provided further, That such branch road or roads shall be com-*

menced and completed within one year from the passage of this act.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 525.

## AN ACT

Relative to the Claim of Edward Bolen.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the auditor general and state treasurer be and they are hereby authorized and required to examine the claim of Edward Bolen, of Blair county, for labor done on the Upper Juniata division of the Pennsylvania canal, during the years one thousand eight hundred and forty-seven and one thousand eight hundred and forty-eight, and report the amount they find due said Bolen to the next legislature.*

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 526.

## A N A C T

Relating to Township Elections.

WHEREAS, The law of one thousand eight hundred and fifty-four, authorizing the courts of quarter sessions to divide any borough, ward or township into two or more election districts, fails to provide for adding together the votes polled in each district at the borough, ward or township election; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the judge, inspectors and clerks of each election district of any borough, ward or township in the counties of this commonwealth, which shall have been divided by the court into separate election districts, under the provisions of the act of April twentieth, one thousand eight hundred and fifty-four, shall make out a complete return of all the votes given at any borough, ward or township election, designating the number of votes each person received; and the judge and inspectors shall appoint one of their number for return judge, to meet the other return judge or judges of the said borough, ward or township in said county, at the oldest election place, on the third day after any borough, ward or township election, and then add together the number of votes given for each person voted for, and make out the returns, as the nature of the election may require, complying in all respects with the provisions of existing election laws; and after the performance of said duties, appoint one of their number, by consent or lot, to deliver the full returns to the court of quarter sessions of said county, in the same manner now provided by law for making township returns: *Provided*, The provisions of this act shall not affect any existing election law relative to the city of Philadelphia, city of Pittsburg, and Erie.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 527.

## A N A C T

Relating to the Publication of Notice of proposed Acts of Incorporation of this Commonwealth.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* from and after the passage of this act, it shall be required that every application to the legislature for any act of incorporation, shall be preceded by a public notice or advertisement of the same in two newspapers in the city or county for which the legislation is demanded, or in which the parties applying for it reside, if two newspapers are published in said city or county, and if there be not two newspapers published therein, then in one newspaper, if one is published therein; which said public notice or advertisement shall set forth the names of the commissioners or corporators to the bill or proposed legislation, and its title; and the same shall be published or advertised in said papers before the bill or proposed law shall be presented to either branch of the legislature.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 528.

## A N A C T

Extending the provisions of an act relating to Roads and Bridges in Washington county, to the county of Pike, passed the thirtieth day of March, Anno Domini one thousand eight hundred and fifty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the provisions of an act relating to roads and bridges in Washington county, passed the thirtieth day of March, Anno Domini

one thousand eight hundred and fifty-nine, be and the same is hereby extended to the county of Pike.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 529.

## A FURTHER SUPPLEMENT

To an act incorporating the city of Erie.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the select and common councils of the city of Erie are hereby authorized to assess annually a tax on all persons and property in the said city, taxable for city purposes, for the purpose of paying the interest on the bonds issued by the said city: *Provided,* That such assessment shall not exceed the rate of twenty mills on the dollar of the valuation of the objects so assessed: *And provided further,* That it shall not be lawful for said councils to appropriate the proceeds of such tax to any other purpose than the payment of said interest.

Tax, assessment  
of on persons and  
property.

Proviso.

Proviso.

SECTION 2. The said select and common councils are hereby authorized to appoint the collectors of all taxes, levied and assessed by them for city purposes, and to require such security from said collectors, for the faithful discharge of their duties and the prompt payment of all moneys collected by them to the city treasurer, as they may deem expedient; the warrant to be directed to said collectors, to be signed by the mayor of the city.

Collectors, ap-  
pointment of.

SECTION 3. That the third section of the act of assembly, entitled "An Act relative to lighting the city of Erie with gas," passed the twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-five, be and is hereby amended so that at any time after a judgment, in the form and manner therein provided, is entered, execution may be issued thereon; and the provisions of said third section as herein amended, are extended to the collection of all taxes that may hereafter be assessed by virtue of this act, and to the collection of all taxes that have been or that may be assessed or levied by virtue of an act, entitled "A further supplement to an act to incorporate

Certain act of as-  
sembly amended,  
&c.

the city of Erie," passed the seventeenth day of March, one thousand eight hundred and fifty-nine; and all judgments that may be hereafter entered for street improvement tax, assessed and levied under the provisions of said last named act, and all judgments that may be hereafter entered in favor of said city, upon claims for paving or planking side walks, shall have priority over all other liens.

Causeway and public dock, relative to.

SECTION 4. That the select and common councils of said city are hereby authorized to make such rules and regulations as to the use and control of the causeway, extending from the foot of State street into the bay of Presque Isle, and the public dock connected therewith, as they may deem proper and necessary; and make such charges for the use of the same, or any part thereof, as may be deemed expedient, and to enforce the collection thereof in such manner as they may deem proper.

Time for the payment of certain bonds extended.

SECTION 5. That the mayor and councils of said city are hereby authorized to extend the time of payment of the bonds issued to the Erie and Wattsburg, Erie and Waterford, and Erie and Edinboro' plank road companies, any length of time not exceeding ten years.

Improving and keeping in repair certain streets and the public square.

SECTION 6. That for the purpose of improving and keeping in repair the streets, and such portion of the public square or squares of said city in front of lots situated thereon and used as a public highway, the said councils are hereby authorized to divide the city into convenient districts, and to assess and levy a special tax within each district upon all property and persons taxable for city purposes; and said councils are authorized to collect the same in the same manner as state and county taxes are by law collectable, or in the manner provided by the third section of this act, and to appropriate the same towards the improvement and repair of the streets and public squares used as highways; the whole amount of such special tax, collected within each district, to be expended within the same district for the purpose aforesaid.

Special tax may be levied.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.



No. 530.

## AN ACT

Relative to the election of additional School Directors in the Twenty-first ward, city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the qualified voters of the third, fourth, fifth and sixth election divisions of the Twenty-first ward, city of Philadelphia, formerly the borough of Manayunk, shall, at the next election for constables, elect two school directors, in addition to those they are now allowed by law to elect, one of whom shall serve for one year, and one for two years; and at every subsequent election for constables thereafter, the qualified voters of the aforesaid election divisions shall elect two school directors.

Additional school directors to be elected in certain divisions of the Twenty first ward.

Terms.

SECTION 2. That the qualified voters of the seventh and eighth divisions of the said ward, formerly the township of Roxborough, shall, at the next election for constables, elect two school directors, in addition to those they are now allowed by law to elect, one of whom shall serve one year, and one for two years; and at every subsequent election for constables thereafter, the qualified voters of the aforesaid election divisions shall elect two school directors.

Seventh and eighth divisions to elect additional school directors.

Terms.

SECTION 3. That the qualified voters of that portion of the second election division of said Twenty-first ward, included in the late township of Roxborough, shall hereafter vote for school directors in said second division, and be included therein for all school purposes.

Portion of second division, where to vote for school directors, &c.

SECTION 4. That all laws or parts of laws, inconsistent with the provisions of this act, be and the same are hereby repealed.

Repeal.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 531.

## A SUPPLEMENT

To the act for the laying out of a State Road from Moshanon, in Centre county, to Kylerstown, in Clearfield county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the supervisors of roads in the several townships through which this road may pass, are authorized and required to apply all the unseated land tax assessed for road purposes, in the township of Snow Shoe, Centre county, and the taxes assessed on the unseated lands of S. Christ and company, Josiah W. Smith, John Whitefield, George Crawford and — Bates, lands situated in the township of Morris, Clearfield county, to the making of said road each year, until it is made good.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 532.

## A SUPPLEMENT

To an act relative to Unadjusted Claims against the Commonwealth, passed the thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all the provisions of the third section of the act relative to unadjusted claims against the commonwealth, are hereby extended and continued in full force, for and during the period of one year from and after the passage of this supplement.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 533.

## A SUPPLEMENT

To an act to incorporate the Saving Fund Society of Germantown and its vicinity, passed the sixth day of April, one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That article fourteen of section two of the act, entitled "An Act to incorporate the Saving Fund society of Germantown and its vicinity," which provides that the managers of said society shall not receive deposits from any one person to a greater amount than one thousand dollars at any one time, nor shall the deposits during the year of any one person, at any one time, exceed one thousand dollars, be and the same is hereby repealed. Repeal.

SECTION 2. That article eight of section two shall be amended by the addition of the following clause: The managers having the privilege to enter into special agreements with any of the depositors, for the withdrawal of their deposits, by written or printed orders or checks. May enter into special agreements with depositors.

JOHN M. THOMPSON,  
*Speuker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 534.

## A SUPPLEMENT

To an act to incorporate the Quakake Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the holders of the bonds issued by the Quakake railroad company, under the authority of the act to incorporate said company, approved April twenty-fifth, Anno Domini one thousand eight hundred and fifty-seven, said bonds amounting in all to Certain bonds converted into preferred stock.

two hundred thousand dollars, be and they are hereby authorized to convert said bonds into a preferred stock, to consist of five thousand shares, of the par value of fifty dollars each.

Certificates of preferred stock to be issued in exchange.

SECTION 2. That the president and directors of the said railroad company be and they are hereby authorized to issue, in exchange to said bondholders, or their assigns, suitable certificates of such preferred stock, for the par value of said bonds, and also for all due and unpaid coupons, including those to mature July first, one thousand eight hundred and sixty; the balance of said five thousand shares, (if any,) to be the property of said Quakake railroad company, and disposed of for the general purposes of the company.

Dividend on preferred stock.

SECTION 3. That the said preferred stock shall be entitled to a semi-annual dividend of four per cent., to be paid from the net earnings of said railroad, and receipts of the company from all sources; and no dividend shall be paid on the common stock of said company, until all arrearages of said eight per cent. for each year shall have been duly paid or provided for: *Provided*, That the first payment of such dividend shall be due on January first, one thousand eight hundred and sixty-one.

Proviso.

Future election of officers.

SECTION 4. That all future elections for officers of said company, the preferred and special stockholders shall elect the president and four directors, and the common stockholders two directors; and that the common stockholders shall be and they are hereby authorized to reduce the amount of the common stock from ten thousand shares to two thousand shares, of the par value of fifty dollars each; such reduction to be made only if approved of by a majority in interest of the common stockholders, at a meeting called for the purpose, and duly advertised: *Provided*, That at any election held before said conversion of the bonds into preferred stock is carried into effect, the bondholders shall be entitled to elect the president and four directors, in the same manner as if such conversion had taken place.

Common stock to be reduced.

Proviso.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 535.

## A N A C T

Relative to Elections in Lycoming county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the general elections for the West ward of the borough of Williamsport, county of Lycoming, shall be held at the house now occupied by William H. Hay, in said borough. General elections for West ward, where held

SECTION 2. That the general elections for the East ward, in said borough, shall be held at the building known as Doeblers' hall, in said borough. For the East ward.

SECTION 3. That the general elections for the township of Loyalsock, in the county of Lycoming, shall be held at the public school house, East ward, Williamsport. For Loyalsock township.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 536.

## A N A C T

Declaring Bell's run, in Ceres township, M'Kean county, a public highway.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Bell's run, in Ceres township, M'Kean county, is hereby declared a public highway, from the mouth thereof, six miles up said stream.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 537.

## A N A C T

Declaring the West Branch of Tuneanquant creek a public highway.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the West Branch of Tuneanquant creek, in Bradford township, M'Kean county, be and the same is hereby declared a public highway, from the mouth thereof, six miles up said creek.*

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 538.

## A N A C T

To authorize the State Treasurer and Auditor General to allow credit to the Tioga Improvement Company, for certain moneys.

WHEREAS, The Tioga improvement company, on the twelfth day of July, one thousand eight hundred and fifty-five, deposited in the Bank of Pennsylvania, to the credit of the state of Pennsylvania, the sum of one hundred and fifty dollars, which sum was credited to the commonwealth by said bank, in account rendered to the accounting officers of the state, on the twelfth of December, one thousand eight hundred and fifty-five:

*And whereas, Said sum has not been credited to said the Tioga improvement company; therefore,*

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the state treasurer and auditor general of this commonwealth be and are hereby authorized and directed to credit said the*



Tioga improvement company, on account of state tax, with the said sum of one hundred and fifty dollaas.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 539.

## AN ACT

Explanatory of an act to provide for the erection of a House for the Employment and Support of the Poor for the county of Carbon, approved the twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That on or before the first day of May next, and annually thereafter, the commissioners of the county of Carbon shall furnish to the directors of the poor and of the house of employment for the said county, copies of the last adjusted valuations and assessments of persons and property, subjects and things, taxable for county purposes, in the boroughs and townships of the said county, contributing to the support of the said house of employment, and immediately after the receipt of the said adjusted valuations and assessments, the said directors shall proceed to lay and levy thereupon, such amount of taxes as they the said directors shall have determined necessary for the support and expenses of the poor and house of employment for the current year; and the said directors shall have and exercise the same power and authority to appoint collectors of such taxes, prepare duplicates, issue precepts, require securities, grant exonerations, and settle and adjust the duplicates of such taxes, and to do all other things necessary in and about the levying and collection of the same, as the commissioners of the said county now by law have for the purposes aforesaid.

Adjusted valuations and assessments, relative to.

Amount of tax necessary to be levied.

Collectors, how appointed, &c.

SECTION 2. That the collectors of such taxes, from time to time appointed by the said directors, shall, within the time prescribed by law for the collection of county taxes, and the settlement of the duplicates of the same, collect the said poor taxes, and pay the same over to the treasurer of the said directors, and settle the duplicates of the same with the said directors; and the said collectors shall have the same power and authority

When and where taxes to be paid.

Proviso.

as the collectors of county taxes now have, to enforce the payment of such taxes, and shall be subject to the same penalties, for neglect to collect and pay over, or account for according to law, the whole amount of the taxes charged and assessed in the duplicates delivered to such collectors: *Provided*, That before any duplicate of such taxes shall be delivered to any such collector, he shall execute and deliver to the said directors, a judgment bond, in such amount, and with such sureties as the said directors shall approve, with like condition as bonds now by law required to be executed and delivered to the county commissioners, by collectors of county taxes.

Outstanding poor taxes to be collected and paid to directors.

SECTION 3. That the commissioners of Carbon county shall, with as little delay as practicable, cause to be collected the poor taxes heretofore charged, and outstanding on the duplicates, and shall pay to the said directors, such sum or sums, as may from time to time be necessary for the support of the poor and house of employment of said county, as directed by the act to which this is a further supplement, until the first day of August next, after which date the taxes collected on said duplicates shall, by the said commissioners, be applied to the liquidation of the indebtedness of the county, on account of the poor and house of employment; and at the next annual settlement of the county treasurer's account of receipts and disbursements, and annually thereafter, so long as the same shall be necessary, the county auditors shall certify to the said directors, the amount of the receipts and expenditures of the county treasurer, on account of the poor and house of employment aforesaid, for the preceding year, and if the expenditures shall have exceeded the receipts, the said directors shall reimburse the county treasury the amount of such excess, out of any moneys in the treasury of the said directors unappropriated, and not required for the current expenses of the poor and house of employment; and if the said moneys shall not be sufficient for that purpose, the said directors shall, at the time of the next annual levy of taxes for the support of the poor and house of employment, and annually thereafter, so long as the same shall be necessary, levy such additional taxes, not exceeding two mills on the dollar of valuation in any one year, and from time to time, as the said additional taxes are collected, shall cause the same to be paid by the treasurer of the said directors to the county treasurer of said county, for the purposes aforesaid.

How to be applied.

Duty of county auditors.

Receipts and expenditures of poor house, relative to.

Certificates of loan may be redeemed, &c.

SECTION 4. That the said directors, with the consent of the holder or holders of any certificate or certificates of loan heretofore issued by the commissioners of Carbon county, for moneys borrowed by them for the use of the poor and house of employment of said county, under the provisions of the act to which this is a further supplement, may pay or redeem and cancel the same, and issue in lieu thereof a new certificate or certificates, payable by the said directors at such time or times as the said directors and the holders of such redeemed certificate may agree, with like stipulation as to the payment of taxes which may be assessed upon the same as money at interest, as is provided in such original certificates: *Provided*, That this act shall not be construed to impair the contracts between the holders of such original certificates and the county of Carbon, but the said coun-

Proviso.

ty shall remain liable to pay to the holder thereof the amount due upon any such certificate which shall not be paid or redeemed, cancelled and renewed by the said directors, when the same is due and presented for payment.

SECTION 5. That the treasurer of the said directors shall have an office for the receipt of taxes, settlement with collectors and transaction of business within the poor house district; shall attend the monthly meetings of the directors for the purpose of paying such orders of the directors as may be there presented for payment; shall annually, during the month of January, submit to the directors and the county auditors an account of his receipts and expenditures for the preceding year, and as soon as his accounts are audited, shall pay to his successor in office all moneys of the said directors remaining in his hands; and shall receive for his services out of the said poor taxes, such compensation as the directors shall direct, not exceeding two per centum on the whole amount of moneys received and disbursed by him: *Provided*, That the bond to be given by the said treasurer, under the provisions of the third section of the act to which this is a supplement, shall be in double the amount of moneys which will probably pass through his hands during his term of office.

Treasurer of directors, duty of, &c.

Proviso.

SECTION 6. That the next and all subsequent annual accounts or statements of receipts and expenditures of the said directors of the poor and house of employment of Carbon county, shall be settled and adjusted to and including the thirty-first day of December of the current year, and the same shall be submitted to the county auditors during the month of January following.

Annual accounts or statements, relative to.

SECTION 7. That the provisions of the act to which this is a further supplement, which authorize the commissioners of Carbon county to levy and cause to be collected the taxes for the support of the poor and house of employment of said county; and so much of the same act as is hereby altered and supplied, or as is inconsistent with this act, be and the same are hereby repealed: *Provided further*, That the said directors shall repay to the county treasury all sums heretofore paid or advanced by the county to the said directors, and all debts contracted by the county for and on behalf of the said directors.

Repeal.

Proviso.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 540.

## A SUPPLEMENT

To the act consolidating the city of Philadelphia.

WHEREAS, The Sixth ward of the city of Philadelphia is composed of part of the late city proper :

*And whereas,* The plans and surveys of said ward are properly connected with the plans and surveys of the present third survey district :

*And whereas,* The present arrangement and survey divisions has led to difficulty and confusion ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Sixth ward of the city of Philadelphia, from and after the passage of this act, shall form part of, and be included in, the third survey district of the said city, any law or part of laws to the contrary notwithstanding.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 541.

## A SUPPLEMENT

To an act to incorporate and endow the Pennsylvania Institution for the Instruction of the Blind.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the governor is authorized and required to draw his warrant on the state treasurer in favor of the president and directors of the Pennsylvania institution for the instruction of the blind, for the sum of two hundred and twenty-five dollars for every indigent pupil of this commonwealth taught in the school of said institution, to be paid quarterly, from and after the passage of this

act: *Provided*, That the sum so paid, in any one year, shall not exceed twenty-four thousand seven hundred dollars: *Provided further*, That in the applications for instruction in said institution, preference shall always be given to indigent pupils of this commonwealth.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 542.

## SUPPLEMENT

To an act to incorporate the Green and Coates Street Philadelphia Passenger Railway Company, approved the twenty-first day of April, one thousand eight hundred and fifty-eight.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the Green and Coates Street Philadelphia Passenger railway company shall have power to extend their tracks from the present terminus, at Coates Street Landing avenue, along Landing avenue to a point opposite Kerns's mill; and that said company are also authorized to remove their track from Twenty-second street, and to extend their track along Green street from Twenty-second street to Pennsylvania avenue; thence along said avenue to Coates street: *Provided*, That in case the city of Philadelphia shall at any time determine to extend Fairmount park so as to include said avenue, then the said railroad company shall immediately remove their tracks from said avenue: *Provided*, That this act shall not go into effect until councils of the city of Philadelphia shall, by ordinance, first give their assent thereto.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 543.

## A N A C T

Authorizing the people of Tioga county to vote for or against a County Poor House at their next General Election.

Certain act re-  
enacted with  
modifications.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act of the general assembly of this commonwealth, passed the fourteenth day of May, Anno Domini one thousand eight hundred and fifty, entitled "An Act to provide for the erection of a poor house for the employment and support of the poor in the county of Tioga," be re-enacted with the following modifications:

Commissioners.

SECTION 2. That in lieu of the commissioners named in said act, the following named persons be substituted as commissioners: William Baeles, James Laury, Thomas L. Baldwin, David L. Acken, Calvin Hammend, Rensselaar Toles, Buel Baldwin, G. T. Bentley and David A. Clark; that said commissioners shall perform the duties required of them in the first section of said act, on or before the first day of January, Anno Domini one thousand eight hundred and sixty-one; and that the election of directors under said section shall take place at the next general election thereafter; and the directors elected shall meet at the place designated in said section, on the first Monday in November next ensuing their election.

Duties.

When to be per-  
formed.

Election for di-  
rectors.

Manner of voting  
for or against the  
erection of a poor  
house.

SECTION 3. For the purpose of ascertaining the sense of the citizens of Tioga county, as to the expediency of erecting a poor house in said county, it shall be the duty of each of the inspectors of the several townships and boroughs, at the general election on the second Tuesday in October, one thousand eight hundred and sixty, to receive tickets, written or printed, from the qualified voters thereof, labelled on the outside, poor house, and on the inside, for a poor house, or, against a poor house; and if it shall appear, upon casting up the votes of the different districts, at the time and place, when and where the other election returns are made out, that a majority of those who voted are for a poor house, then the said act to take effect; but if a majority of said voters are against a poor house, then said act to be of no effect.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.



No. 544.

## SUPPLEMENT

To the act to incorporate the Citizens' Passenger Railway Company of the city of Pittsburg, approved the twenty-second day of March, Anno Domini one thousand eight hundred and fifty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Citizens' Passenger railway company may at any time hereafter make application, by petition to the court of quarter sessions of Allegheny county, to fix and adjudge the compensation to be made to the Lawrenceville and Sharpsburg plank road company, for the use and occupancy of said plank road, from the present terminus of said railway, at or near the Allegheny cemetery, to the Sharpsburg bridge, in the manner prescribed in the tenth section of the act, approved the twenty-second day of March, Anno Domini one thousand eight hundred and fifty-nine, entitled "An Act to incorporate the Citizens' Passenger railway company of the city of Pittsburg," notwithstanding the proceedings already had for this purpose; and the said court is hereby invested with all the power, authority and jurisdiction conferred by the tenth section aforesaid, in the same manner as if the said court had never exercised any jurisdiction in the premises.*

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 545.

## SUPPLEMENT

To an act incorporating the Tacony and Poquessin Plank Road Company, approved the third day of March, Anno Domini one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

Repeal of certain  
act. so much of the first section of the act of assembly, passed the third day of March, Anno Domini one thousand eight hundred and fifty-four, entitled "An Act to incorporate the Tacony and Poquessin plank road company," as provides for the construction of said road to Pennypack creek, and thence in as near a direct line as may be deemed most judicious by a majority of the stockholders, crossing Poquessin creek, and terminating at

Location of road. or near Andalusia, in Bensalem township, Bucks county, be and the same is hereby repealed; and the said company, instead of constructing the same to Pennypack creek and beyond, shall have power to construct the same to Holmesburg, from any point on the River road northward of Tacony; and shall further have power to change that portion of their road now laid with plank into a stone or turnpike road, and to complete said road to

Proviso. Holmesburg with stone: *Provided*, That said stone or turnpike road shall be completed as far as the intersection of the River road and the Philadelphia and Trenton railroad, at Tacony, within five years from the date hereof.

May borrow  
money. SECTION 2. That the president and directors of said road be and they are hereby authorized and empowered to borrow money, not exceeding fifteen thousand dollars, at seven per centum per annum, to be expended in substituting stone for plank, and in completing said road to Holmesburg as a turnpike road, and to issue bonds, and mortgage said road and its appurtenances, with the franchise thereof, for the same: *Provided*, That no bond shall be issued for less than one hundred dollars.

Proviso.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 546.

## A FURTHER SUPPLEMENT

To an act extending an act authorizing the Governor to incorporate the Shippensville and Emlenton Turnpike Road Company, approved the tenth day of March, one thousand eight hundred and thirty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the charter for the Shippensville and Emlenton turnpike road, passed the tenth day of March, one thousand eight hundred and*

Charter exten-  
ded

thirty, be and is hereby extended to March first, one thousand eight hundred and sixty-five; and that George Krills, J. F. Agnew, W. E. Bishop and William Perry, be and are hereby appointed commissioners to act in connection with the surviving commissioners named in the act to which this is a supplement. Commissioners.

SECTION 2. That so much of an act, entitled "An Act regulating turnpike and plank road companies," approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, as is not inconsistent with the provisions of the act to which this is a supplement, be also extended to this act. Certain act extended to.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 547.

## A N A C T

To change the place of holding Elections in the First ward of the city of Carbondale.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the ward, general and state election of the First ward of the city of Carbondale, shall be held in "Richmond's Buildings," in said ward.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 548.

## AN ACT

Empowering the Orphans' Court of Armstrong county to decree distribution of the funds belonging to the Estate of John Woodburn, deceased, in the hands of his Executors.

WHEREAS, John Woodburn, late of the borough of Freeport, county of Armstrong, deceased, by his last will and testament, did, among other things, direct that his executors, John Woods, Esq., and Jacob Shoop, purchase with the residue of his estate, after the payment of all debts, a small piece of land, as near Freeport aforesaid as they could get it, for the use of his family, as soon as they thought expedient and convenient, of which his widow should have the management and control as long as she lived and remained his widow; and that after her death or marriage, the same, as also whatever money remained in the executors' hands after supporting the said widow and children of said deceased, should be equally divided among all his children, but not until they had arrived at the age of twenty-one years:

*And whereas*, The said executors have settled their final account in the orphans' court of Armstrong county, which was, on the nineteenth day of October, Anno Domini one thousand eight hundred and fifty-eight, confirmed by said court, whereby it appears that the said executors have in their hands moneys belonging to said estate to the amount of nine hundred and thirty-six dollars and ninety-seven cents, which bears interest from the said nineteenth day of October, of which the said John Woods, Esq., has in his hands three hundred and fifty-two dollars and seventy-nine cents, and Jacob Shoop, five hundred and eighty-four dollars and eighteen cents; and the said widow and children, (some of the latter being minors,) being willing and desirous that said executors shall not purchase the land aforesaid, but shall make equal distribution of the said funds in their hands, amongst said children; now therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the orphans' court of Armstrong county aforesaid, shall have full power and authority to decree distribution of the aforesaid funds, belonging to the estate of John Woodburn, deceased, in the hands of his aforesaid executors, equally among his children, James Woodburn, Robert H. Woodburn, Wm. Woodburn, Elizabeth Woodburn, Margaret Ann Woodburn, Martha Jane Woodburn and Mary Woodburn, which shall be decreed to be payable in such instalments, and at such times as the said widow and children, and the guardian of those that are minors, shall have agreed to or may hereafter agree to with said executors in writing, which writing shall be filed in said court and be made a part of the decree thereof: *Provided*, That if any of said children

shall die before said distribution shall be decreed, the said deceased child shall be represented by his or her legal heirs, to whom the said court shall decree the share of such deceased child.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 549.

## A SUPPLEMENT

To an act to encourage Manufacturing Operations in this Commonwealth, approved April seventh, one thousand eight hundred and forty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the act, entitled "An Act to encourage manufacturing operations in this commonwealth," approved April seventh, one thousand eight hundred and forty-nine, and the supplements thereto, be and they are hereby extended so as to embrace all associations and companies, formed for preparing fuel from coal dust, peat and other substance.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 550.

## A N A C T

Relative to Proceedings upon Mortgages and Recognizances.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

Duty of prothonotary and recorder.

whenever any action shall be brought upon a mortgage or recognizance of record, it shall be the duty of the prothonotary of the court in which the action is brought, to furnish to the recorder of deeds or the clerk of the court where such mortgage or recognizance is or may be recorded, a memorandum of the names of the parties, the number and term, and the date of such action ; and it shall be the duty of the recorder or clerk to enter the same upon the record of such mortgage or recognizance.

Satisfaction of indebtedness, relative to.

SECTION 2. That whenever a judgment, obtained in any action upon a mortgage or recognizance as aforesaid, shall have been satisfied upon the record thereof, either by the receipt of the plaintiff or by return of execution, it shall be the duty of the prothonotary, upon the application of the defendant, to furnish a certificate of such entry of satisfaction or return under the seal of the court ; and upon the presentation of the same, it shall be the duty of such recorder of deeds, or clerk, to mark such mortgage or recognizance satisfied.

Fees.

SECTION 3. That the prothonotary and the recorder, or clerk, shall be entitled to receive for the services required by the first section of this act, each twenty cents, to be taxed by the prothonotary as part of the costs in the case ; and for the services required by the second section, each twenty cents, to be paid by the party requiring such service.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.



No. 551.

## A N A C T

To provide for the Ordinary Expenses of the Government, and other General and Specific Appropriations.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the following sums be and the same are hereby specifically ap- Appropriations.  
propriated to the several objects hereinafter mentioned, for the year commencing on the first day of June, Anno Domini one thousand eight hundred and sixty, to be paid out of any money in the treasury not otherwise appropriated.

SECTION 2. For the salary of the governor of the common- Salary of gover-  
wealth, four thousand dollars. nor and heads of  
departments.

For the salary of the secretary of the commonwealth, one thousand seven hundred dollars.

For the salary of the deputy secretary of the commonwealth, one thousand five hundred dollars.

For the salary of the auditor general, one thousand seven hundred dollars.

For the salary of the surveyor general, one thousand six hundred dollars.

For the salary of the attorney general, three thousand dollars, and for contingent expenses of the attorney general's office, the sum of four hundred and seventy-five dollars.

For the salary of the adjutant general, six hundred dollars.

For the salary of the superintendent of common schools, one thousand five hundred dollars.

For the salary of the state treasurer, one thousand seven hundred dollars.

For the salary of the state librarian, eight hundred dollars.

For the salary of the superintendent of public printing, eight hundred dollars.

SECTION 3. For the salary of the chief clerk in the office of Clerk hire, &c.,  
the secretary of the commonwealth, one thousand two hundred in executive and  
dollars. state depart-  
ments.

For the salary of the military clerk, one thousand dollars.

For the salary of the commission clerk, one thousand dollars.

For the salary of the first transcribing clerk, nine hundred dollars.

For the salary of the second transcribing clerk, nine hundred dollars.

For the salary of the private secretary of the governor, six hundred dollars.

For the salary of the messenger in the executive department, five hundred dollars.

For the salary of the messenger in the state department, five hundred dollars.

SECTION 4. For postage and telegrams in the state department, eight hundred dollars.

For stationery in the state department, four hundred dollars.

For fuel and lights in the state department, one hundred and twenty-five dollars.

For cleaning offices, one hundred dollars.

For repairs in the state department, seventy-five dollars.

For wrapping paper and freight of geological survey, fifty dollars.

Miscellaneous expenses of state department, one hundred and fifty dollars.

Auditor general's office.

SECTION 5. For the salary of the chief clerk in the auditor general's office, one thousand five hundred dollars.

For the salary of the second clerk, one thousand dollars.

For the salary of the third clerk, one thousand dollars.

For the salary of the fourth clerk, one thousand dollars.

For the salary of the fifth clerk, one thousand dollars.

For the salary of the sixth clerk, one thousand dollars.

For the salary of the seventh clerk, one thousand dollars.

For the salary of the messenger, six hundred dollars.

SECTION 6. For postage and telegrams, for the office of the auditor general, five hundred dollars.

For stationery in the office of the auditor general, three hundred and fifty dollars.

For fuel in the office of the auditor general, seventy-five dollars.

For miscellaneous, seventy-five dollars.

Surveyor general's office.

SECTION 7. For the salary of the chief clerk in the surveyor general's office, one thousand four hundred dollars.

For the salary of the second clerk, one thousand one hundred dollars.

For the salary of the third clerk, one thousand dollars.

For the salary of the fourth clerk, one thousand dollars.

For the salary of the fifth clerk, nine hundred dollars.

For the salary of the sixth clerk, nine hundred dollars.

For the salary of the seventh clerk, nine hundred dollars.

For the messenger salary, five hundred and fifty dollars.

SECTION 8. For postage in the office of the surveyor general, four hundred dollars.

For stationery in the office of the surveyor general, two hundred dollars.

For fuel in the office of the surveyor general, sixty-five dollars.

For repairs and miscellaneous, ninety dollars.

School department.

SECTION 9. For the salary of the deputy superintendent of common schools, one thousand four hundred dollars.

For the salary of the first clerk in the school department, one thousand dollars.

For the salary of the second clerk in the school department, one thousand dollars.

For the messenger salary in the school department, five hundred dollars.

SECTION 10. For stationery and blank books in the school department, three hundred and fifty dollars.

For postage, telegrams and express expenses, in the school department, one thousand two hundred dollars.

For fuel, light and cleaning office, sixty dollars.

For expenses in packing and distributing blank forms, reports, school laws and decisions, to the several school districts of the commonwealth, six hundred dollars.

For expenses of the superintendent in visiting the several school districts of the state, three hundred dollars, and that the same annual allowance be made to the retiring superintendent.

For miscellaneous expenses, fifty dollars.

SECTION 11. That the state treasurer is hereby required to pay to the commissioners of the sinking fund the sum of nineteen hundred dollars, of which three hundred dollars is to be paid to each of the commissioners, and one thousand dollars for clerk hire.

Commissioners of sinking fund and clerk hire.

SECTION 12. For the salary of the chief clerk in the office of the state treasurer, one thousand six hundred dollars.

Clerk hire, &c., in treasurer's office.

For the salary of the book keeper in the office of the state treasurer, one thousand two hundred dollars.

For the salary of the account clerk in the office of the state treasurer, one thousand dollars.

For the salary of the recording clerk in the office of the state treasurer, one thousand dollars.

For the salary of the messenger and night-watch of the treasury department, six hundred and fifty dollars.

SECTION 13. For postage and telegrams in the treasury department, four hundred and seventy-five dollars.

For express charges, one hundred dollars, and for stationery and blank books, two hundred and fifty dollars.

For fuel and light, seventy-five dollars.

For miscellaneous expenses, one hundred and fifty dollars.

SECTION 14. For the payment of the salary of the clerk in the office of the attorney general, eight hundred dollars.

Clerk hire in attorney general's office.

SECTION 15. To the state library for the current year, the several sums hereafter specified.

State library.

For the purchase of law and miscellaneous books, one thousand dollars.

For the exchange of law books, three hundred and fifty dollars.

For postage, freight on books, stationery, purchasing books, cleansing, white-washing room, and making fires, et cetera, two hundred and fifty dollars.

For binding, one hundred and fifty dollars.

For salary of assistant librarian for the year, one hundred and fifty dollars.

SECTION 16. For the payment of the expenses of the legislature, including the pay and mileage of members, clerks and officers thereof, and the amount authorized by law for stationery and lights, the sum of one hundred and fifty thousand dollars, or as much thereof as may be necessary, to be settled by the auditor general according to law.

Legislature.

SECTION 17. For packing and distributing the laws and journals of the legislature, to be performed under the direction of the secretary of the commonwealth, seven hundred dollars, or as much thereof as may be necessary.

Packing and distributing laws.

SECTION 18. For the public printing, folding, stitching and binding, thirty thousand dollars, or as much thereof as may be

Printing.

necessary, on settlement of the account of the public printer, according to law.

**Water and gas for public buildings.** SECTION 19. For the payment to the borough of Harrisburg, for the purpose of supplying the public buildings with water, according to the act of April the twenty-eighth, one thousand eight hundred and forty, the sum of six hundred dollars; and also for gas for the public buildings and walks, fifteen hundred dollars, or as much as may be found due by the auditor general, on the contract with the company, in pursuance of the charter of the said company, and its supplement, to be paid on the warrant of the governor.

**Public grounds.** SECTION 20. For the improvement of the public grounds, twenty-five hundred dollars, to be paid to the superintendent, to be settled by the auditor general, according to law; also, one hundred dollars to the late superintendent of the public grounds, and also the sum of four hundred and forty-seven dollars and eighty-five cents, for balance due him on account of last year's expenditures.

**Miscellaneous expenses.** SECTION 21. For miscellaneous expenses, to be first audited by the auditor general before being paid by the state treasurer, the sum of three thousand dollars.

**Supreme court.** SECTION 22. For the salaries of the judges of the supreme court, the sum of twenty-one thousand five hundred dollars, or so much of the same as shall be necessary; and the salaries of the said judges, including the present year, shall hereafter be thirty-four hundred dollars each.

**Judges of Philadelphia city.** SECTION 23. For the payment of the salaries of the judges of the district court, and president and associate law judges of the court of common pleas of the city of Philadelphia, the sum of eighteen thousand dollars, or three thousand dollars to each judge.

**Judges of Allegheny county.** SECTION 24. For the payment of the judges of the district court, and the president and assistant law judges of the court of common pleas of the county of Allegheny, twelve thousand dollars.

**Judges of courts of common pleas.** SECTION 25. For the payment of the salaries and mileage of the president and associate law judges of the several courts of common pleas in this commonwealth, except in the city of Philadelphia and Allegheny county, the sum of fifty-five thousand dollars, or as much thereof as may be necessary.

**Associate judges.** SECTION 26. For the payment of the salaries and mileage of the associate judges of the courts of this commonwealth, the sum of twenty-five thousand dollars.

**Interest on state debt.** SECTION 27. For the payment of the interest on the funded debt of the commonwealth, that will fall due on the first days of July and August, one thousand eight hundred and sixty, and on the first days of January and February, one thousand eight hundred and sixty-one, one million nine hundred and sixty thousand dollars.

**Guaranteed interest.** SECTION 28. For the payment of the guaranty of interest for the Pottsville and Danville railroad company, by the act of the eighth of April, one thousand eight hundred and thirty-four, and the act of the twelfth of April, one thousand eight hundred and fifty-one, the sum of eight thousand five hundred and seventeen dollars and fifty cents, in full of said guaranty up to August the

first, one thousand eight hundred and sixty : *Provided*, That the certificate of the auditor general, state treasurer and attorney general be first had, showing that the amount appropriated is legally and equitably due. Proviso.

SECTION 29. For the support of the common schools, to be paid on warrants drawn by the superintendent in favor of the several school districts of the commonwealth, in proportion to the number of taxables therein, the sum of two hundred and eighty thousand dollars, inclusive of the salaries of the county superintendents, to be accounted for in the usual manner, on the basis of taxables of the year one thousand eight hundred and fifty-nine, in the several counties : *Provided*, That the city of Philadelphia shall be entitled to a proportion on the said basis without contributing to the salaries of the county superintendents. Common schools. Proviso.

SECTION 30. For the payment of the salaries of the officers of the Eastern penitentiary, the sum of twelve thousand eight hundred dollars, and the additional sum of four dollars for each discharged convict, in equal quarterly payments, on or after the fifteenth day of the months of June and September, in the year one thousand eight hundred and sixty, and December and March, in the year one thousand eight hundred and sixty-one. Eastern penitentiary.

SECTION 31. For the payment of the salaries of the officers of the Western penitentiary, the sum of eleven thousand one hundred and sixty-one dollars ; and the additional sum of forty thousand dollars for building purposes, to be drawn from the state treasury monthly, as the work progresses, as by accounts furnished to the auditor general ; and the additional sum of four dollars for each discharged convict, in equal quarterly payments, on or after the fifteenth day of the months of June and September, in the year one thousand eight hundred and sixty, and December and March, in the year one thousand eight hundred and sixty-one. Western penitentiary.

SECTION 32. For the house of refuge in Philadelphia, twenty-five thousand dollars, of which five thousand dollars is specifically appropriated to enable the officers to have the inmates taught regular trades in the institution. House of refuge, Philadelphia.

SECTION 33. For the house of refuge of western Pennsylvania, in the county of Allegheny, fifteen thousand dollars, to be appropriated in the following manner : For salaries of the officers, seven thousand dollars ; for repairs and improvements, six thousand one hundred and fifty dollars ; and for the payment of repairs made last year, one thousand eight hundred and fifty dollars. House of refuge, Pittsburg.

SECTION 34. For the Pennsylvania state lunatic hospital, at Harrisburg, the sum of twenty thousand dollars, to be applied to the payment of salaries, the support of the house, the renewal of furniture and fixtures, and to such repairs and improvements as may be required : *Provided*, That the said appropriation shall only be paid upon the production of an account to the auditor general, under the oath or affirmation of the principal of such institution, which shall specifically set forth the items of expenditure made or to be made ; and that the state treasurer shall not pay any of the aforesaid appropriation, unless such statement shall have been made and certified to by the auditor general. State lunatic hospital. Proviso.



- Western Penn- SECTION 35. For the Western Pennsylvania hospital, five thou-  
sylvania hospital sand dollars; and for the purpose of erecting suitable buildings,  
the further sum of fifty thousand dollars.
- Blind. SECTION 36. For the Pennsylvania institution for the instruc-  
tion of the blind, the sum of twenty-four thousand seven hun-  
dred and fifty dollars, to be paid in proportion to the number of  
indigent pupils from the several counties of the commonwealth,  
at the rates prescribed by law, the evidence of which is to be  
furnished to the state treasurer. For the Pennsylvania training  
school for feeble-minded children, at Media, in the county of  
Delaware, the sum of fifteen thousand dollars, for the purpose  
of completing the buildings: *Provided*, That a like amount shall  
be paid into the treasury of the institution by private contribu-  
tions; said appropriation to be drawn in sums of five thousand  
dollars, when the like amount has been paid from the private sub-  
scription, and the usual annual sum for each pupil, as provided  
by the act of incorporation: *Provided*, That the number of said  
pupils shall not exceed forty.
- Feeble minded Proviso.  
children.
- Proviso. SECTION 37. For the state freight tonnage agents on the Penn-  
sylvania and Northern Central railroad, the sum of twelve hun-  
dred dollars for the year.
- Tonnage agents. SECTION 38. For the instruction of indigent pupils in the Penn-  
sylvania institution for the instruction of the deaf and dumb,  
twenty-three thousand dollars, to be paid in proportion to the  
number of indigent pupils from the several counties of the com-  
monwealth, at the rates prescribed by law, the evidence of which  
is to be presented to the state treasurer. For the Northern  
Home for friendless children, the sum of five thousand dol-  
lars.
- Deaf and dumb. SECTION 39. For roofing and repairing the state arsenal in  
Philadelphia, the sum of two thousand five hundred dollars.
- Northern Home State arsenal at  
for friendless Philadelphia.  
children.
- SECTION 40. For fees due from the commonwealth, in case of  
the Commonwealth, *ex rel.* Attorney General, *versus* the Erie  
and North-East railroad company, the sum of three hundred  
and eighty-eight dollars, to be paid as follows: To James Sill,  
examiner, one hundred and eighty-five dollars; to George H.  
Cutler, examiner, one hundred and fifty dollars; to Thompson  
and Grant, for drawing bills and answers, fifty-three dollars.
- James Sill. SECTION 41. To pay for four portraits of provincial governors,  
furnished governor's chamber, one hundred and fifty dollars  
each, the sum of six hundred dollars.
- George H. Cutter Portraits of pro-  
Thompson and vincial governors  
Grant.
- Salaries and ap- SECTION 42. That all annual salaries herein provided for, and  
propriations, how also all appropriations to penitentiaries, houses of refuge and  
paid. charitable institutions, now and hereafter, shall be paid quarterly  
at the office of the state treasurer, unless otherwise specified by  
law; and that no money appropriated by this act for any spe-  
cific object, shall be applied to another, in any of the depart-  
ments, or in the charitable institutions, penitentiaries or houses  
of refuge.
- George Bergner, SECTION 43. For George Bergner, publisher of the Legislative  
publisher of Le- Record, compensation of seven dollars per page, for numbers pub-  
gislativ Record. lished during the present session of the legislature, the amount  
to be certified by the superintendent of the public printing, and  
upon such certificate the state treasurer shall pay the same.



SECTION 44. For the superintendent and watchman of the public buildings and grounds, the sum of two dollars and fifty cents per day, for and during the period of his appointment. Superintendent and watchman of public buildings.

SECTION 45. That the state treasurer is hereby authorized to pay to the chief clerks of the Senate and House of Representatives, the sum of two dollars and fifty cents per day for each of the pasters and folders employed in the House of Representatives during the present session; and also to the several pages employed by the Senate and House, the sum of one dollar per day each; the vouchers for the same to be furnished by the said clerks in the usual manner. Pasters and folders. Pages.

SECTION 46. For the payment to John A. Smull, for his services to the House of Representatives as an assistant clerk for the present session, and for services during the recess, filing away and taking charge of the papers and documents, the sum of one thousand dollars; and it shall be his duty to receive from the state printer the bound copies of the Daily Record, and forward the same to the address of the members of the legislature, as soon as practicable after the adjournment; and to F. M. Hutchinson, as an assistant clerk of the Senate, the sum of nine hundred dollars, and such extra allowance as allowed the clerks by any provision of this bill; and to William P. Brady, for services as librarian of the Senate, the same compensation as allowed to a transcribing clerk, and for distributing and filing the Legislative Record, one hundred dollars, and also for twenty-one days' extra services, at the same rate allowed for his services as librarian. John A. Smull. F. M. Hutchinson. Wm. P. Brady.

SECTION 47. For transcribing for the committee of ways and means, to be paid on order of the chairman, the sum of thirty dollars; and for like services to Senate committee, the sum of thirty dollars, to be paid on the order of the chairman. Transcribing for committee of ways and means.

SECTION 48. That the state treasurer is hereby authorized to pay to the chief clerk of the Senate and House of Representatives, for the expense of indexing the journals, the sum of one hundred and twenty-five dollars each. Indexing journals of Senate and House.

SECTION 49. That the state treasurer is hereby authorized to pay to the assistant post-master of the House, the same compensation as is by law allowed to the post-master. Assistant post-master.

SECTION 50. That the state treasurer is hereby authorized to pay to D. F. Hemperly, at the rate of two dollars per day for services in cleaning and keeping in order the closets in the basement of the capitol, the actual number of days employed, to be certified to by the clerk of the House; and to George Manly thirty dollars, for twenty days' service in the basement of the House, after the commencement of the present session. D. F. Hemperly. George Manly.

SECTION 51. For the payment of the fireman having in charge the furnaces in the basement, the sum of two dollars per day, the account to be settled by the clerk of the House. Fireman.

SECTION 52. For each of the six fire companies of Harrisburg, the sum of one hundred dollars. Fire companies, Harrisburg.

SECTION 53. To pay Edward King, John C. Knox and David Webster, commissioners to revise the penal code, the sum of four thousand seventy-three dollars and fourteen cents, which in addition to the undrawn balance of the appropriation of Commissioners to revise penal code

twenty-fourth April, one thousand eight hundred and fifty-eight, is in full of the amount due said commissioners.

Regular officers  
and employees  
of Senate and  
House, addition-  
al compensation.

SECTION 54. That the state treasurer is hereby authorized and directed to pay to each of the officers of the House and Senate, except the speakers, post-masters, folders and pages, an extra allowance of one hundred dollars each, for services during the present session; to the several folders or pasters, the sum of fifty dollars extra; to the several pages, the sum of ten dollars extra; to the several women employed by the clerks of the two houses to cleanse the halls, the sum of ten dollars extra; to the chief clerks of the two houses, the usual per diem for fifteen days' service after the close of the session, and the usual per diem to two additional officers who may be kept by each clerk to assist them in their duties, and to each of the chief clerks of the two houses for the year one thousand eight hundred and fifty-nine, the usual per diem allowance for fifteen days' extra at the close of the last session.

Compensation of  
clerks appointed  
by the act of 17th  
of May, 1855.

SECTION 55. That the clerks appointed according to the seventh section of the act, approved May the seventh, one thousand eight hundred and fifty-five, shall be allowed the same rate of compensation and mileage as is now allowed to the transcribing clerks by said act, in proportion to the time they shall serve as such.

For the construc-  
tion of heaters for  
Senate chamber,  
&c.

SECTION 56. For the construction of heaters in the basement of the Senate chamber, and repairs and ventilation of the Senate chamber, a sum not exceeding fifteen hundred dollars, to be contracted for and expended under the direction of the chief clerk of the Senate.

James Thompson

SECTION 57. For the amount due James Thompson, for portion of unpaid salary as district judge, the sum of ten hundred and three dollars; and for the amount due Joel Jones, for portion of unpaid salary as district judge of the city of Philadelphia, the sum of thirteen hundred and twenty-five dollars, to be paid to Eliza P. S. Jones, widow and executrix of said Joel Jones.

Joel Jones.

Farmers' High  
school.

SECTION 58. That the provisions of the act of May twentieth, one thousand eight hundred and fifty-seven, entitled "An Act making an appropriation from the state treasury in aid of the Farmers' High school," be extended for two years from May twenty, one thousand eight hundred and sixty.

Charles Weitzel.

SECTION 59. To Charles Weitzel, for twenty-one days' service as fireman of the Senate, before and after the meeting of the present session, the same pay per diem as allowed to Shiffler, his successor in office.

State Normal  
school at Millers-  
ville.

SECTION 60. That the state treasurer is hereby authorized and required to pay out of any money in the treasury not otherwise appropriated, the expenses incurred in giving public notice in the newspapers of the second normal school district, of the recognition of the state normal school at Millersville, in Lancaster county, and the expense incurred by the inspectors appointed by the state superintendent, with the consent of the governor, in the discharge of their official duty at the time of the recognition of said school: *Provided*, That the amount appropriated for such purposes shall not exceed the sum of three hundred dollars; and the state treasurer is further authorized and required to pay out of any money in the treasury not otherwise appropriated,

Proviso.

a further sum, not exceeding two hundred dollars, for the necessary blank diplomas and forms, authorized by the thirteenth section of the act to provide for the due training of teachers for the common schools of the state: *Provided*, That the bills rendered on account of the expenses herein named, shall be first approved by the superintendent of common schools, and settled in the usual manner.

Blank diplomas  
and forms.

SECTION 61. For miscellaneous expenses of the chief clerks of the Senate and House of Representatives, attendant upon their duties during the recess, each the sum of one hundred and fifty dollars.

Miscellaneous  
expenses of chief  
clerk of Senate  
and House.

SECTION 62. For the payment of pensions and gratuities, the sum of eight thousand dollars, or so much thereof as may be necessary.

Pensions and  
gratuities.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

ROBERT M. PALMER,  
*Speaker of the Senate.*

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 552.

## AN ACT

Supplemental to an act for the incorporation of the Pittsburg, Kittanning and Warren Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That nothing in the act, entitled “A further supplement to an act, entitled ‘An Act for the incorporation of the Pittsburg, Kittanning and Warren railroad company,’ approved April fourth, one thousand eight hundred and fifty-four,” or in any other act, shall be construed to authorize the Allegheny Valley railroad company to sell or dispose of the bonds of the county of Jefferson for less than their par value, without first obtaining the assent of the commissioners of said county.

Construction of  
certain act.

SECTION 2. That none but stockholders in said Allegheny Valley railroad company shall be eligible to be elected president or managers of said company; and that at every annual election for president and managers, and in all cases and at all times in which the stockholders shall be called upon to vote by stock, the number of votes to which each stockholder, individual or corporation shall be entitled, shall be according to the number

Eligibility of  
president.

Election of offi-  
cers.

Votes.

of shares he, she or it may hold, in the following proportions, viz: For each share, not exceeding ten shares, one vote; and for every five shares above ten, and not exceeding thirty, two votes; and for every five shares above thirty, and not exceeding fifty, one vote; but no share above fifty, as aforesaid, shall confer any additional right of voting; and no share shall confer the right to vote at any election, or at any general or special meeting of said company, which shall not appear on the books of the company to have been holden three calendar months previous to the day of the election, or general or special meeting, nor unless it be holden by the person or corporation in whose name it appears, absolutely and *bona fide* in his, her or its own right, or husband in right of his wife; and that no person or corporation shall hereafter vote at any election, or general or special meeting of said company, whose stock does not appear on the books of the company to have been paid for in full; and so much of any act or acts of assembly as is hereby altered or supplied, be and the same is hereby repealed.

Repeal.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

I do certify that the bill, entitled "An Act supplementary to an act for the incorporation of the Pittsburg, Kittanning and Warren railroad company," passed the House of Representatives on the fourth day of February, A. D. one thousand eight hundred and sixty, which has been disapproved by the governor, and returned by the governor, with his objections, to the House of Representatives, in which it originated, was agreed to by two-thirds of the House of Representatives, on the twenty-third day of March, A. D. one thousand eight hundred and sixty, and that the foregoing is the act so agreed to by the said House.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

Attest: E. H. RAUCH,

*Clerk of the House of Representatives.*

I do certify that the bill, entitled "An Act supplemental to an act for the incorporation of the Pittsburg, Kittanning and Warren railroad company," passed the Senate on the sixth day of March, A. D. one thousand eight hundred and sixty, which has been disapproved by the governor, and returned with his objections, to the House of Representatives, in which it originated, was agreed to by two-thirds of the Senate, agreeably to the constitution, on the twenty-ninth day of March, A. D. one thousand eight hundred and sixty, and that the foregoing is the act so agreed to by the Senate.

WM. M. FRANCIS,

*Speaker of the Senate.*

Attest: RUSSELL ERRETT,

*Clerk of the Senate.*

No. 553.

## AN ACT

Supplemental to an act to incorporate the Glenwood Cemetery Company.

WHEREAS, The property of the Glenwood cemetery company was originally divided into a certain number of shares, the holders of which alone elect the board of directors: Preamble.

And whereas, The said shares were not, under the act of assembly to which this is a supplement, liable to assessment, nor were the lots laid out upon the grounds of the said company, the inconvenience of which is now felt by the said company in view of the expenses incurred in improving and beautifying the said grounds, and in meeting the yearly charges and taxes thereon:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall and may be lawful for the Glenwood cemetery company to assess upon its several shares of stock whatever sums of money may, in the opinion of the board of directors, be deemed necessary, to be determined by a vote of two-thirds of the directors present at any stated or at a special meeting called for that purpose, for the purpose of discharging the present indebtedness of the said company; and when such assessment shall be made, notice thereof shall be given to the shareholders, respectively, of the amount so assessed; and in case such shareholders shall not, within six months thereafter, pay and discharge the respective amounts so assessed upon their several shares, then it shall and may be lawful for the said company, at any subsequent meeting of the said board of directors, to declare such share or shares of stock forfeited, and the said company may by any public sale proceed to sell, after two weeks' notice to such shareholder, any share or shares of stock so forfeited, and apply the proceeds of such sale to the payment of the assessment or assessments charged against such particular share, and the balance of such proceeds, if any shall remain, shall be paid over to the holder or holders of such stock forfeited and sold as aforesaid; and the purchaser or purchasers thereof, at any such sale, shall have and hold such share or shares of stock, so bought by him, her or them, as fully and absolutely as the original shareholder or shareholders held the same previous to and at the time of the said forfeiture and sale; and to such purchaser or purchasers, the said company may, upon the payment of the purchase money by him, her or them, issue new certificates of stock for the share or shares so purchased as aforesaid; and in case of the forfeiture and sale of any share or shares of stock, as aforesaid, the certificate or certificates for the same, outstanding at the time of such sale, shall be deemed and be utterly void: *Provided however,* That any moneys that have been or shall be paid on account of, or in anticipation of and in lieu of such assessments on any share or

Assessments may be made upon shares of stock.

To be applied to present indebtedness.

When to be paid.

Non-payment of assessments to cause forfeiture of shares.

Forfeited shares to be sold, proceeds how applied, &c.

Purchasers of forfeited shares to hold them as fully as original owners.

Certificates of forfeited shares, relative to.

Proviso.

shares of stock, shall be deemed and taken as paid on account thereof, and shall be credited to such share or shares on the books of the said company, and shall be deemed and taken as in compliance with the provisions of this act.

May sell portion  
of their grounds.

Relative to pur-  
chaser's title.

SECTION 2. That the Glenwood cemetery company is hereby authorized and empowered to sell that portion of their grounds fronting upon Ridge avenue, not exceeding one hundred feet in depth from the said avenue, either at public or private sale, as to them shall seem best; and in case of such sale, the purchaser or purchasers thereof shall receive and take title to such ground, in fee simple, or otherwise, without looking to the application, misapplication or non-application of the purchase money thereof.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 554.

## A N A C T

For the relief of John Heisly, of Lycoming county.

WHEREAS, Thomas W. Lloyd, late supervisor on the West Branch division of the state canal, certifies that there is due on a contract made by him, as the agent of the state, to John Heisly, for work done in draining a cellar injured by the water from the canal; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the state treasurer be and he is directed to pay to the said John Heisly the sum of one hundred and two dollars and fifty-three cents, in full of said claim.*

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.



No. 555.

## A N A C T

Relative to the Estates of Adam S. Gilleland and Thomas Gilleland, late of the county of Fayette.

WHEREAS, Adam S. Gilleland, Thomas Gilleland and John Gilleland, of Fayette county, held, by devise from their father, as joint tenants, a tract of land in said county, containing about one hundred and                acres, valued and appraised at twenty dollars per acre :

*And whereas,* The said Adam and Thomas Gilleland having died within the past year, unmarried and without issue, having made their last wills and testaments, devising to their brother John Gilleland their interest in said real estate :

*And whereas,* The said John Gilleland is a helpless cripple, having been confined to his bed for the last twenty years ; that said land is all that he has in the world to rely upon for the support of himself and two sisters, both of whom are in delicate health :

*And whereas,* There is due and coming to the commonwealth a collateral tax on said land ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the real estate of Adam S. Gilleland and Thomas Gilleland, deceased, situate in the county of Fayette, and devised to John Gilleland, of said county, be and the same is hereby released from the payment of all collateral inheritance tax to or for said commonwealth.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 556.

## AN ACT

To incorporate the Spring Garden Plank Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

Commissioners. G. Wettack, Philip Gerst, M. Lappe, J. C. Lappe, A. Weise and Philip Schowen be and are hereby appointed commissioners to open books, receive subscriptions and organize a company, by

Style. the name, style and title of the Spring Garden plank road company, with power to construct a plank or turnpike road from the

Route. end of Chestnut street, at the line of the city of Allegheny, through Reserve township, to the line of Ross township, in the county of Allegheny, a distance of one mile and a half, subject

Subject to. to the provisions and restrictions of an act regulating turnpike and plank road companies, approved January twenty-six, Anno Domini one thousand eight hundred and forty-nine, and the several supplements thereto, except as hereinafter provided.

Capital stock. SECTION 2. That the capital stock of said company shall consist of two hundred shares of five dollars each; and no person shall be permitted to subscribe, in person or by proxy, more than five shares; and each stockholder shall be entitled to one vote, and no more.

Tolls. SECTION 3. That as soon as one mile of said road shall be finished, the said company shall have the right to erect a gate or gates, and collect tolls as follows, viz: Two cents per horse for any distance not exceeding one mile, and two cents for horse per mile for any distance more than one mile, provided in the said act of January twenty-six, Anno Domini one thousand eight hundred and forty-nine; and all tolls so collected, after paying the expenses of the road, and interest upon the stock paid in, shall be applied to keeping the said road, and the plank sidewalks along the same, in repair: *Provided*, That neither the

Proviso. president nor managers of said company shall receive any compensation for their services as such.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 557.

## SUPPLEMENT

To an act to authorize the Governor to incorporate the Pittsburg Bridge Company, approved the sixth day of April, Anno Domini one thousand eight hundred and fifty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* all the spans of the said bridge, except the span over the main channel, near the south shore of the river, shall be each not less than two hundred feet in length, and that the said span over the main channel shall be not less than three hundred feet in length, and that the height of the said span over the main channel shall be not less than eighty feet in the clear from low water mark.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 558.

## AN ACT

To vacate Apple alley, in the city of Pittsburg.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Apple alley, in the Eighth ward of the city of Pittsburg, as laid down in the plan of the city district of said city, be and the same is hereby annulled and vacated: *Provided, The councils of said city assent thereto.*

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 559.

## A SUPPLEMENT

To an act to incorporate the Lafayette Mutual Insurance Company of Philadelphia, approved the twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* it shall and may be lawful for the president and directors of the Lafayette mutual insurance company of Philadelphia, on all cash subscriptions to stock, to issue certificates of preferred stock, which stock shall be entitled to be first paid such a dividend as shall have been duly declared before any dividend shall be paid on the other stock of said company: *Provided, That* upon the declaration of any dividend or dividends, it shall be the duty of the president and directors thereof, within thirty days thereafter, to pay, or cause to be paid, unto the state treasurer, the rate of tax now imposed by general law upon dividends of institutions incorporated by this commonwealth.

May issue certificates of preferred stock.

Proviso.

May increase number of directors

SECTION 2. That authority is hereby given to increase its present number of directors from thirteen to twenty-five.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 560.

## AN ACT

Relative to the Belmont Avenue and Plank Road Company.

Preamble.

WHEREAS, The Belmont Avenue and plank road company are desirous of improving their road by the construction of a railway and turnpike, as heretofore provided by acts of assembly, without resorting to a loan, and mortgaging their property for that purpose; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Belmont Avenue and plank road company be and they are hereby authorized and empowered to create, issue and sell, to subscribers therefor, fifteen hundred shares of preferred stock, of the par value of fifty dollars each, and to apply the proceeds thereof to the construction, use and maintenance of a turnpike and railway, on and along the line of their road, so far as the same is or shall hereafter be laid out and opened to public use; and that the extension to the Haverford road, as authorized by the act of assembly, approved the twenty-sixth of April, one thousand eight hundred and fifty-five, may be made whenever the said company shall deem it expedient.

May issue preferred stock.

Proceeds, how applied.

SECTION 2. That the holders of said preferred stock shall be entitled to and have preference over all other stock of said company, in every dividend of profits which shall be made by the same, until the amount of dividends so made and declared shall be equivalent to seven per cent. per annum from the time of issuing such preferred stock, when the preferred and common stock shall be in all respects alike, and thereafter entitled to equal portions of the profits and dividends of said road: *Provided*, That the time when said preferred stock shall merge, and become common stock, shall not exceed fifteen years from the passage of this act.

Holders of to have preference in dividends.

Proviso.

SECTION 3. That the subscribers to or purchasers of the stock hereby authorized to be created, and their successors or assigns, shall, at the meetings and elections of said company, and at all other times, be entitled to all the rights and privileges to which the common stockholders are entitled.

Privileges of preferred stockholders.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 561.

## A N A C T

Authorizing the payment of certain Moneys to Captain James Whaley.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

the state treasurer is hereby authorized and directed to pay to Captain James Whaley the sum of fifty-five dollars, in full of all money by him expended in marching his troops from Connellsville to Pittsburg, in the year one thousand eight hundred and twelve, as also for services and extra rations: *Provided*, That the auditor general is of opinion that the same has not been previously paid.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 562.

## A N A C T

Relative to the payment of Collateral Inheritance Tax on the Estate of Godfrey Greensweig, deceased, of Monroe county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That John Merwine and William Walp, executors of the last will and testament of Godfrey Greensweig, late of Ross township, Monroe county, deceased, who died in December, one thousand eight hundred and forty-nine, be released from the payment of collateral inheritance tax upon more than the appraisement of the real estate of said decedent, to wit: On one thousand four hundred and forty-seven dollars, with six per cent. interest thereon, from the date of the appraisement, made thirteenth of March, one thousand eight hundred and fifty: *Provided*, That the said executors pay the sum unto the register of Monroe county within three months from the passage of this act.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.



No. 563.

## A N A C T \

To correct a Clerical Mistake in the amount of certain Property assessed for State Taxes in the county of Huntingdon.

WHEREAS, The board of revenue commissioners, in their certified report for the year one thousand eight hundred and fifty-seven, have, through mistake, charged the county of Huntingdon with an amount of property subject to a tax of three mills on the dollar, of five millions nine hundred and five thousand and six dollars:

*And whereas*, The true amount of the above described property, according to the assessment thereof, was only five millions one hundred and eight thousand four hundred and ninety-six dollars; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That in the adjustment and payment of the said taxes, the sum of five millions one hundred and eight thousand four hundred and ninety-six dollars shall be taken and considered as the true amount of property subject to a tax of three mills on the dollar for the year one thousand eight hundred and fifty-seven, and two and a half mills on the dollar in the years one thousand eight hundred and fifty-eight and one thousand eight hundred and fifty-nine, assessed in and payable by the said county of Huntingdon.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 564.

## A N A C T

To authorize the State Treasurer to refund certain Collateral Inheritance Tax to the Administrators of the Estate of Lois H. Hazlehurst, deceased.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer is hereby authorized to pay to Misses Julianna Hazlehurst, Mary Hazlehurst, Harriet Hazlehurst and Julianna Hazlehurst, administratrix of the estate of Lois H. Hazlehurst, deceased, the sum of three hundred and three dollars and fifty-eight cents, being the amount of the collateral inheritance tax paid by them on their legacies, under the will of Mrs. Eliza Kohn, deceased, and which legacies were not liable to the said tax.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 565.

## A N A C T

Regulating the Lien of Sheriffs' Recognizances.

Lien of sheriffs'  
recognizances.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That recognizances entered into by the sheriffs of the several counties of this commonwealth shall continue to be a lien on the real estate owned by said sheriffs, respectively, at the dates of said recognizances, for the term of ten years from said dates; and that every recognizance heretofore executed by any sheriff, of any county in this commonwealth, shall be a lien on the real estate of said sheriff, owned by him at the time when said recognizance was dated, for the like term of ten years from the

date thereof: *Provided*, That in every case where the term of ten years has already expired from the date of any such recognizance, and the presumption of payment thereof shall not already have arisen by the lapse of twenty years from its date, the lien of said recognizance shall continue and remain for the term of one year from the passage of this act: *Provided*, That this act shall in no way affect the recognizance of the sheriff of the county of Philadelphia. Proviso.

SECTION 2. That the expiration of the lien of any sheriff's recognizance upon the real estate owned by such sheriff, under the provisions of this act, shall not release such sheriff, his administrators or executors from liability to answer any claims which may be established for damages occasioned by official delinquency or misconduct of said sheriff. Lien for damages for official delinquency.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 566.

## A N A C T

To incorporate the Western Life Insurance and Trust Company, to be located in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Henry Davis, George Reed, R. J. Mercer, John D. Watson, John Wallace, John Noble, G. W. Simons, W. S. Grant, E. S. Handy, A. M'Intyre, Vincent L. Bradford, W. J. P. White, Thomas S. Darling, Thomas Potter, Israel B. James, Moncure Robinson, William Taylor, H. Stevenson, Henry D. Moore and Charles Kochersberger, are hereby appointed commissioners, who, or any five of whom, are authorized and empowered, from and after the passage of this act, to establish an insurance and trust company by the name and title of the Western life insurance and trust company, to be located in the city of Philadelphia, with a capital stock of fifty thousand dollars, divided into shares of fifty dollar each, with the right to increase said capital, at any time, to three hundred thousand dollars; and to be organized and managed according to the provisions of an act to provide for the incorporation of insurance companies, approved the second day of April, Anno Domini one thousand eight hundred and fifty-six; and shall be limited to risks designated in

Commissioners.

Name.

Capital stock.

Subject to.

the second class in the seventh section of said act, with the right to transact its business upon the mutual principle in connection with its capital stock as aforesaid.

Subject to.

SECTION 2. That the said Western life insurance and trust company, its successors and assigns, shall also hold, possess, use and enjoy the same rights, privileges and franchises, as have heretofore been granted to the American life insurance and trust company of the city of Philadelphia.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 567.

## AN ACT

To incorporate the Union Hall Association of the Falls of Schuylkill.

Corporators.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Joseph Sorber, William G. Duey, Isaac S. Richman, Peter Bechtel, Charles F. M'Ewen, Christian Hess, John R. Johnson, J. Knight Uhler, Samuel Sutcliff, Jacob Dietrich, Theodore Reaver, William L. Morrison, and their associates and assigns, be and they are hereby constituted a body politic and corporate, by the name, style and title of the Union hall association of the Falls of Schuylkill, with a capital stock of ten thousand dollars, to be divided into one thousand shares of ten dollars each.

Style.

Time and place  
of opening books.

SECTION 2. The persons named in the first section of this act shall act as commissioners to open books, at such time and place, and upon such notice and terms as they may think fit, for subscriptions to the said capital stock, and to keep the same open until the said shares of stock, or at least one-third of the same, shall have been subscribed, with liberty to become subscribers thereto themselves; and upon one-third of the said shares being so subscribed, this act of incorporation shall immediately take effect.

When this act to  
take effect.

Objects.

SECTION 3. The object of such association shall be the erection and maintenance, at the Falls of Schuylkill, of a hall and suitable building for the use and accommodation of public meetings, societies, libraries and other public and legitimate purposes, upon such terms and in such manner as the by-laws may prescribe.

SECTION 4. The said corporation, by the said name, style and title, shall have perpetual succession, and shall have authority to hold and use a common corporate seal, and the same to change, alter and amend at pleasure; and by that name, style and title shall be capable in law to sue and be sued, implead and be impleaded, in any court of law or equity in this commonwealth, or elsewhere; and may make all needful rules, regulations and by-laws for the government and ordering of the affairs of the corporation, so that the same in no wise conflict with the laws and constitution of this commonwealth or of the United States.

Name.

Seal.

Powers.

SECTION 5. The said corporation shall be able and capable in law to purchase, take, receive and hold real estate in this commonwealth, not exceeding the annual value of five thousand dollars, with power to sell, mortgage, lease, or otherwise dispose of the same, and to erect such buildings thereon as may be necessary for the purposes of their incorporation.

Real estate.

SECTION 6. The stockholders of the said company shall, on the first Monday in December, in each and every year, elect a president, twelve managers and a treasurer, to serve for one year from the first day of January next ensuing such election; and at such election, each stockholder holding five shares or less of the said stock shall be entitled to one vote for each of such shares, and each stockholder holding more than five shares shall be entitled to one vote for every five additional shares: *Provided*, That no stockholder shall be entitled to more than ten votes.

Election of officers.

Terms.

Votes.

Proviso.

SECTION 7. The persons named in the first section of this act shall act as officers and managers of the said corporation until the first day of January, in one thousand eight hundred and sixty-one, when the officers elected by the stockholders as aforesaid shall succeed them; and for this purpose the said persons shall choose one of their number as president, and another as treasurer: *Provided*, That in case of the resignation or withdrawal of any one or more of the said persons, the remainder of them may elect one or more persons, from among the stockholders, to supply the vacancy, until the said first day of January, one thousand eight hundred and sixty-one.

First officers.

Proviso.

SECTION 8. Dividends upon the capital stock of the corporation may be declared and paid whenever the managers may deem it advisable, but such dividends shall in no wise exceed the amount of actual net profits acquired by the corporation.

Dividends.

SECTION 9. The first meeting of the stockholders of the said corporation shall be convened at such time and place as the said persons named in the first section of this act may deem advisable; and at such meeting, measures shall be adopted for the enacting of by-laws and other regulations of the said corporation, and for the providing of other and further regular and special meetings of the said stockholders.

First meeting, &amp;c.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 568.

## AN ACT

For the Relief of Theodore Franks.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the state treasurer is hereby authorized and required to pay Theodore Franks, the sum of one thousand four hundred and fifty-two dollars and fifty cents, being the amount, in full, reported in his favor by the canal commissioners in their report of one thousand eight hundred and fifty-eight.*

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 569.

## AN ACT

Relating to the Trevorton Coal and Railroad Company.

Preamble.

WHEREAS, The property and franchises of the Trevorton coal and railroad company may be sold at public sale, under the judgment or decree of the supreme court of the state of Pennsylvania; therefore,

Purchasers to be a body politic.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the person or persons for and on whose account the railroad, lands and real or personal property of the said the Trevorton coal and railroad company, or any part thereof, may be purchased, be and are hereby constituted a body politic and corporate, in deed and in law, under the name and style of Trevorton coal company, with all the rights, powers, privileges, immunities, franchises and appurtenances heretofore granted to or conferred upon the said the Trevorton coal and railroad company; the capital of said company shall be one million dollars, in shares of one*

Style.  
Powers.

Capital.



hundred dollars each, with privilege to increase the same to two millions dollars, and with full power and authority to borrow such sums of money, not exceeding nine hundred thousand dollars, at any rate of interest not exceeding ten per cent. per annum, and issue bonds of the company, in sums not less than one hundred dollars each, and secure the same by one or more mortgages upon the estate, railroad, and on the corporate franchises of the said company, and may, also, secure the same, or any part thereof, by one or more separate mortgages on the personal property, or any part thereof, of the said company; and may, also, create such additional stock, issued over one million dollars as preferred stock, upon such terms and with such privileges as they may deem proper, and may issue such common or preferred stock upon such terms and at such rates as they may deem expedient; and shall further have authority, at their discretion, to assume and adjust any debts due by, or any interest in, the Trevorton coal and railroad company, or with any creditor thereof, or any person interested therein.

May borrow money.

Bond and mortgages.

Additional stock

Common or preferred stock.

SECTION 2. That the person or persons for and on whose account the said railroad, its property and franchises, or any part thereof, shall have been purchased, shall meet in the city of Philadelphia, within fifteen days after the delivery of the deed therefor, due notice thereof having been given five days previously, in two daily papers published in the city of Philadelphia, and elect a president and six directors, who shall continue in office until the first Tuesday in May, one thousand eight hundred and sixty-one, when, and annually thereafter, on the same day, an election of president and six directors to serve for one year, shall be held as prescribed in the acts relating to the Trevorton coal and railroad company; and a certificate of such first election shall, within thirty days thereafter, be filed in the office of the secretary of state of this commonwealth, and a certified copy thereof shall be evidence of the corporate existence of the said Trevorton coal company.

Meeting of purchasers.

Election of officers.

Annual election.

Certificate of to be filed in office of secretary of commonwealth.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-eighth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 570.

## A N A C T

To vacate part of Old Harrison street.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Old Harrison street, between Howard street and Philip street, and between Philip and Washington, now American street, in the Nineteenth ward of the city of Philadelphia, late in the district of Kensington, in the county of Philadelphia, be and the same is hereby vacated, and the title to the soil over which the said street passes is hereby vested in the owners of the ground holding the legal title to the same.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 571.

## A S U P P L E M E N T

To an act to extend the width of Chatham street, and open part of Tioga street, in the city of Philadelphia, approved the twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* so much of the first section of an act, entitled "An Act to extend the width of Chatham street, and open part of Tioga street, in the city of Philadelphia," approved the twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five, as fixes the width of said street at one hundred and twenty feet, be and the same is hereby repealed; and the width of the said Chatham street, or, as it is sometimes called, Berks street, be and the

same is hereby fixed at seventy feet, between the points therein mentioned.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 572.

## AN ACT

To prevent Fraud at Elections in Philadelphia.

WHEREAS, The purity of the ballot box is indispensable for the security of the rights and the free and full expression of the will of the people: Preamble.

*And whereas,* Experience has clearly demonstrated that gross frauds are practiced at elections in this commonwealth, destructive alike of the morals of our citizens and the stability of our institutions; therefore, to suppress such alarming evils, tending to the overthrow of free government.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be the duty of the court of common pleas, or any judge thereof, upon the application of ten citizens, alleging, under the oath of one or more, that they are apprehensive of frauds in any election district, to select and authorize at least three persons to be present with the officers of the election in such district, to act as inspectors of said election, for which they shall be so selected, and at the preparation of the tally papers, and while the said officers are making out and signing the returns of such election; and the persons so selected shall keep a list of the voters voting thereat, noting thereon whether the voter was challenged or objected to or not, the reason of such challenge or objection, and the name of the witness examined; and it shall also be lawful for either of the inspectors selected, as any other citizen might do, to object to a person offering to vote, and to investigate such objection; and the officers of such election, in such election districts, are required to afford to the inspectors so selected and authorized, every convenience and facility for the discharge of their duty; and if the said officers shall refuse to

Inspectors of to be appointed by judges of court of common pleas.

Duties of.

permit the inspectors selected and authorized as aforesaid to be present, and perform the duties aforesaid, such refusal shall be evidence of fraud in conducting said election in such district, and shall be sufficient to set aside the same; and the inspectors so selected shall be paid the same amount, and in the same manner, as is now provided for the payment of the judges and inspectors of elections.

Compensation.

Refusal of officers to discharge duties, relative to.

SECTION 2. That if any officer or officers required to perform any duty or duties by the provisions of this act, shall neglect or refuse to discharge the same, he or they so offending shall be deemed and adjudged guilty of a misdemeanor in office, and on conviction thereof, shall be fined in any sum not exceeding one hundred dollars, and undergo an imprisonment in the county jail, in the discretion of the court, for a period of not more than one year.

To be in addition to existing laws.

SECTION 3. That the provisions of this act shall be in addition to the existing laws for the regulation and conducting of elections, except where the same are herein altered or supplied: *Provided*, That this law shall apply only to elections held in the city of Philadelphia.

Proviso.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 573.

## AN ACT

To repeal the act for Inspection of Butter and Hogs Lard for Foreign Export from the river Delaware.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That on and after the first day of January, Anno Domini one thousand eight hundred and sixty-one, so much of the act, entitled "An Act relating to inspections," passed the fifteenth of April, one thousand eight hundred and thirty-five, and the supplement thereto, as prescribes the manner of packing, branding and inspecting butter and hogs lard designed for ship stores or exportation, be and the same is hereby repealed, and thereafter the*

same shall not be liable to inspection unless at the request of the owner or purchaser thereof.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 574.

## A N A C T

To vacate part of Spencer street, in the borough of Minersville, in the county of Schuylkill, and to vest the title to the same in the Minersville School District.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That twenty-five feet in width of the north-east side of Spencer street, in the borough of Minersville, in the county of Schuylkill, commencing at the south-east line of Church street, and extending twenty-five feet in width in a south-easterly direction one hundred and fifty feet to the south-east line of Coal street, in said borough of Minersville, be and the same is hereby vacated, and the title to the soil over which so much of the said Spencer street, as is hereby vacated, is laid, is hereby vested in the Minersville public school district.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 575.

## A N A C T

Relative to a certain Alley in the borough of Harrisburg.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the alley between State and North streets, in the borough of Harrisburg, running eastwardly from Poplar lane, and joined on the north and south by property of James M. Bay, be and the same is hereby vacated.*

ISAAC A. SHEPPARD,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 576.

## A N A C T

To appoint Viewers to vacate part of a certain Road in Butler county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That C. J. Smith, Jonathan Walker and H. W. Grant be and are hereby appointed viewers to view that portion of the state road leading from Terantum, in Allegheny county, to Saxonburg, in Butler county, lying between the saw mill of James Harris, in Butler county, to the place said road intersects the Pittsburg road, at or near the corner of William Burtner's farm, in Clinton township; and if, in the opinion of a majority of them, said part is unnecessary, they shall so report to the court of quarter sessions of Butler county; which report, when filed as afore-*



said, shall be deemed a vacation of that part of said road embraced within the points aforesaid.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 577.

## AN ACT

To incorporate the Union Hall Association of the borough of Johnstown, in the county of Cambria.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John M. Power, Wesley J. Rose, Lewis Plitt, F. W. Hay, James Williams, John P. Linton, Jacob M. Campbell, William Canam, Samuel E. Babcock, John Flanagan, Ferdinand Bingell and George M. Hay, be and they are hereby appointed commissioners to do and perform the several acts and things hereinafter mentioned; that is to say, they or such of them as shall act in the premises, not less than five, as soon as conveniently may be, and within six months after the passage of this act, shall procure and cause to be opened suitable books, and receive subscriptions to the capital stock of the Union hall association; and all persons, firms, bodies corporate, and benevolent, literary or other societies, are hereby authorized, by themselves or persons duly authorized, to subscribe to the said capital stock: *Provided,* That no subscription for such stock shall be valid unless the party or parties making the same shall, at the time of subscribing, pay to said commissioners the sum of one dollar on each and every share by them subscribed, for the use of the association.

Commissioners.

Duties of.

Proviso.

SECTION 2. That when two hundred shares of said capital stock shall have been subscribed, the said commissioners, acting in the premises, or a majority of them, shall certify to the governor, which certificate shall be verified by the oath or affirmation of at least one of the commissioners, the names of the subscribers, and the number of shares subscribed by each; whereupon the governor shall, by letters patent, under his hand and the seal of the commonwealth, create and constitute the subscribers, and

Subscriptions to stock.

Letters patent.

those who shall thereafter subscribe to the number of shares hereinafter designated, their successors and assigns, into a body politic and corporate, in deed and law, by the name, style and title of the Union hall association; and by the said name, style and title the said subscribers shall have perpetual succession, with all the privileges, franchises and immunities incident to a corporation, and be able to sue and be sued, plead and be impleaded, in all courts of record and elsewhere; to make and have a common seal, and the same to alter and renew at pleasure; to ordain, establish and put in force such by-laws, ordinances and regulations as may be necessary or convenient for the government of the said association, not being contrary to the constitution or laws of the United States or of this commonwealth, and the same to alter or abolish at pleasure; to hold real estate, not exceeding the clear yearly value of ten thousand dollars, and generally to do all such matters and things which shall lawfully pertain to them to do, to carry into effect the object of said association, as hereinafter designated.

**Style.**  
**Powers.**  
**Objects.** SECTION 3. The object of said association is to erect, in the borough of Johnstown, a suitable building as a town hall, and for the meeting of the different benevolent, literary and other associations of the said borough, and for other legitimate purposes; and the capital stock thereof shall consist of eight hundred shares, of twenty-five dollars each.

**Organization.** SECTION 4. The commissioners as aforesaid, acting in the premises, as soon as may be after receiving the letters patent as aforesaid, shall appoint a time and place for the meeting of the subscribers to the capital stock of the said association, to organize the same, of which said time and place they shall give at least two weeks' public notice, by advertisement, in at least two newspapers published in the borough of Johnstown; and the subscribers when met, shall, by ballot, elect, by a plurality of votes present, to be given in person or by proxy, fifteen directors, all of whom shall be stockholders in said association, or members of beneficial or other societies holding stock therein, and who shall hold office until the first Monday of January, Anno Domini one thousand eight hundred and sixty-one, and until others are chosen.

**Election of directors.** SECTION 5. On the first Monday of January, in the year of our Lord one thousand eight hundred and sixty-one, and annually thereafter, the stockholders of said association shall meet at such place in the borough of Johnstown as shall be designated by the directors of said association, of which time and place public notice shall be given, by advertisement, in at least two newspapers published in the said borough of Johnstown, for three weeks next preceding the time of said meeting, and shall, in the manner provided in the foregoing section, elect fifteen directors of said association, qualified as provided in the preceding section, for the year ensuing, and until their successors are chosen.

**Votes.** SECTION 6. At all elections for directors of said association, the stockholders therein shall be entitled to vote in proportion to the number of shares of stock held by them therein, as follows: For every share of stock not exceeding five, one vote; for every three shares of stock exceeding five, and not exceeding fifty, one vote; for every five shares of stock exceeding

fifty, and not exceeding one hundred, one vote; for every ten shares of stock exceeding one hundred, one vote.

SECTION 7. The directors of said association shall, at their first meeting after having been chosen as aforesaid, elect from their own number one person to act as president of said association, and either from their own number or otherwise, as they shall deem advisable, one person to act as treasurer, and one person to act as secretary, and such other subordinate officers as the by-laws may provide for; and the said president and directors shall manage and conduct the affairs of said association, and keep a record of all their official proceedings, which shall be open to the inspection of every stockholder, shall make an accurate report of the financial condition of the association at each annual meeting of the stockholders thereof; and eight directors shall constitute a quorum for the transaction of business. Officers.  
Management.

SECTION 8. The capital stock of said association shall be called in and paid at such times and places, and in such proportions and instalments, not exceeding five dollars per share per month, as the directors shall require, of which public notice shall be given, by advertisement, in at least one paper published in the borough of Johnstown; and if any stockholder shall neglect to pay such proportion or instalment so called for, at the time and place appointed, he, she or they shall be liable to pay, in addition to the instalment called for, at the rate of two per cent. per month on the amount of the instalments called in and unpaid; and if any subscriber shall fail to pay an instalment and said additional penalty, or neglect, for the period of four months after the same has been called in, the directors may, at their discretion, declare all the shares, on account of which such default was made, forfeited to the association, or may bring suit for the recovery of the amount of said unpaid instalment, with the additional penalty, as aforesaid. Payment and collection of capital

SECTION 9. That the first board of directors elected for said association shall cause to be provided suitable certificates of stock, and one or more of the same, signed by the president and countersigned by the treasurer, and sealed with the seal of the association, shall be delivered to each party entitled to receive the same, according to the number of shares held by him, her or them; and the said certificates shall be transferable, under such limitations and restrictions as may be provided by the by-laws of the association: *Provided*, That no party shall receive any of such certificates until the amount subscribed by him, her or them, to the capital stock, shall have been fully paid. Certificates of stock.  
Proviso.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The third day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 578.

## A N A C T

Supplementary to an act to authorize the School Directors of Chester and Delaware counties to select sites for School Houses, approved eighth May, one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in case the owner or owners of land entered upon to be occupied by any board of directors as a site for a school house, in pursuance of authority conferred by the act to which this is a supplement, shall feel aggrieved by such entry, such owner or owners shall have authority to make application to the court of common pleas of the proper county, for the appointment of a jury of viewers, to be composed of three disinterested persons, not residents of the township, to determine the question of location, who, after being duly qualified by oath or affirmation, first having gave at least ten days' notice of the time and place of meeting to the board of directors, as well as to the complaining party or parties, shall decide upon the proper location for the site in controversy, and make report of their proceedings to said court, the approval of which shall be final and conclusive upon the parties; and the same jury shall, at the same time, also have the power to assess the damages, if any sustained, in the manner prescribed by the act to which this is a supplement, and their award shall have the same effect, and be enforced in the same way, and the viewers shall have the same compensation as is therein provided: *Provided*, That the board of directors shall have at least five days' notice of any intended application for the appointment of viewers as herein authorized; *And provided further*, That the party or parties applying for such view, should the report be adverse to their application on the question of location, shall in all cases pay all costs attending the proceedings.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 579.

## A N A C T

Relative to the appointment of the Collectors of Taxes in Montgomery county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act it shall be the duty of the commissioners of the county of Montgomery to appoint the constables of the said county, collectors of the state and county taxes for their respective boroughs and townships, in the said county. Constables to be appointed collectors of taxes.

SECTION 2. That if any constable, so appointed collector of state and county taxes, shall, after the expiration of thirty-two days from the time of such appointment, neglect or refuse to enter the proper security for the faithful performance of his duty, it shall then be lawful for the said county commissioners to appoint such other person collector of said taxes as they may deem proper: *Provided*, That if any of said tax collectors, so appointed, shall neglect or refuse to collect the tax charged in their duplicate, and settle the same at the proper time, it shall be sufficient cause for not re-appointing said collector or collectors; that all acts, or parts of acts, inconsistent with the provisions of this act, are hereby repealed. Refusal or neglect to give security, relative to.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 580.

## A N A C T

In relation to persons going and returning from funerals in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

all persons going and returning from funerals, whether by carriages or otherwise, shall pass free of all toll over or on any road in said city of Philadelphia, on which tolls are now collected or received in accordance with any act of assembly by which the same is authorized to be collected and received.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 581.

## A SUPPLEMENT

To an act incorporating the Oxford Park Association, approved March twenty-nine, one thousand eight hundred and fifty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the board of directors of the said Oxford Park association shall have power to assess, on each share of stock, a sum not exceeding twenty dollars per annum, and if the same shall not be paid at such time as the board of directors may direct, the privileges of membership of the non-paying member, and the right of transferring his stock, shall be suspended until his assessment shall be paid; and if any assessment shall not be paid within six months after such assessment shall become due, then (except in case of absence during the entire six months,) the share of stock on which the said assessment shall remain due and unpaid, may be forfeited by the board of directors and sold at auction for the benefit of the association; and any excess of net proceeds arising from said sale, shall be paid to such person, his heirs or assigns, on whose account the share has been sold: *Provided*, That at least sixty days' notice shall be given of an assessment being payable, and at least sixty days' notice to a non-paying member, his heirs and assigns, before any sale shall be made under a forfeiture.

Assessments on  
shares of stock,  
relative to.

Proviso.

Exhibitions for  
the development  
of speed may be  
held.

SECTION 2. That for the improvement of the breed of horses, the said association are authorized to hold exhibitions for the development of their speed or other desired qualities, and to encourage and incite competition therein, may offer and give premiums for superiority in objects sought for; such premiums, however, not to exceed the surplus net revenue of the associa-



tion in any one fiscal year: *Provided*, That if any person or *Proviso.*  
 persons shall enter, start or run any horse, mare or gelding, for  
 any plate, prize or wager, bet a sum of money or other valuable  
 thing, every such person so offending shall, upon conviction  
 thereof before any alderman or other justice of the peace in and  
 for Philadelphia city, forfeit and pay the sum of fifty dollars,  
 one-half of which sum shall go to the informer, and the other  
 half to the common school fund of Philadelphia city and county:  
*Provided*, That all information under this act shall be made *Proviso.*  
 within forty-eight hours after the commission of the offence.

SECTION 3. That this act shall not go into effect unless ap- *When this act to*  
 proved by a majority of members, present at a meeting called *go into effect.*  
 for that purpose, notice of which shall have been given to each  
 member at least one week previous to such meeting, which notice  
 shall distinctly state the object for which such meeting has been  
 convened.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The fifth day of April, Anno Domini one thou-  
 sand eight hundred and sixty.

WM. F. PACKER.

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No. 582.

## A N A C T

Relative to the removal of the Tracks of the Pennsylvania Railroad Com-  
 pany from a portion of Liberty street, in the city of Pittsburg.

SECTION 1. *Be it enacted by the Senate and House of Represen-*  
*tatives of the Commonwealth of Pennsylvania in General Assembly*  
*met, and it is hereby enacted by the authority of the same,* That  
 to enable the Pennsylvania railroad company to remove their  
 railroad tracks from that portion of Liberty street, in the city  
 of Pittsburg, lying between Carson and Washington streets, or  
 for any portion of this distance, that they be and are hereby  
 fully authorized to enter in and upon, take, use and appropriate,  
 for general railroad purposes, the whole or any portion of all  
 that certain property, situate in the Third, Fifth and Ninth  
 wards of the city of Pittsburg, bounded and described as fol-  
 lows: That part situate in the Third and Fifth wards, being  
 bounded on the north by Liberty street, on the south by Quarry  
 street and Perry street, and by a straight line drawn from the  
 intersection of Quarry and Elm streets to the intersection of  
 Washington and Fountain streets, and on the east by the line of

*Authorized to ap-  
 propriate certain  
 property for rail-  
 road purposes.*

Assessment of  
damages.

City councils may  
vacate streets  
and alleys.

Repeal.

To remove track  
from Liberty  
street.

Proviso.

the Ninth ward, and on the west by Washington street; that part lying in the Ninth ward, being bounded on the north by the Pennsylvania railroad, on the south by a line parallel to the said railroad, and not exceeding one hundred feet therefrom, on the east by Lumber street, and on the west by the line of the Fifth ward; and for the entry upon the whole or any portion of said property, and for the assessment of damages resulting from the appropriation thereof, the said railroad company are hereby clothed with all the rights, powers and privileges granted in their charter of incorporation, and its supplements; and shall be subject to all the limitations, conditions and restrictions therein contained, except that the viewers appointed under this act shall be residents of the city of Pittsburgh.

SECTION 2. That full power and authority be and is hereby given to the select and common councils of the city of Pittsburgh, upon the application of said railroad company, to vacate any street or alley crossing said property, and the whole or any portion of any street or alley adjoining the same.

SECTION 3. That so much of the charter of said railroad company, and its supplements, or of any other law of this commonwealth, as forbids the taking of property for railroad purposes used as a place of public worship, or as a dwelling house or homestead, without the consent of the owner or owners thereof, is hereby repealed, so far as relates to the property described in the first section of this act.

SECTION 4. That if the said company shall enter upon or take possession of the said property, or any part thereof, under the provisions of this act, it shall be the duty of said company, as soon as conveniently may be thereafter, to remove the track of said road from that part of Liberty street described in the first section of this act, in such manner as to leave the street in good repair: *Provided*, That such removal shall be completed within three years after the passage of this act; and at the expiration of that time, the right of said company to enter upon or take possession of said property, or any portion thereof, without the consent of the owners, shall cease.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 583.

## AN ACT

To authorize James A. Nesbit to sell and convey certain Real Estate of Samuel Nesbit, a Lunatic.

WHEREAS, Since the death of James Nesbit, late of Mercer county, deceased, the widow and heirs of said James Nesbit entered into a contract with Frederick Snyder to sell and convey to him a tract of land of the estate of said James Nesbit, situate in South Shenango township, Crawford county, Pennsylvania, containing about one hundred and thirty acres, at eight dollars per acre :

*And whereas*, Before the payment of the purchase money and the delivery of the deed for said land, Samuel Nesbit, one of the said heirs, became and remains hopelessly insane, by reason of which it has become impossible for said widow and heirs to make the requisite conveyance of said land in compliance with their said contract ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That James A. Nesbit, elder brother of Samuel Nesbit, a lunatic, be and he is hereby authorized to sell and convey to Frederick Snyder, his heirs and assigns, all the right, title and interest of the said Samuel Nesbit, in and to a certain tract of land, part of the estate of James Nesbit, deceased, situate in South Shenango township, Crawford county, Pennsylvania, and containing one hundred and thirty acres, more or less ; and that the said sale and conveyance by the said James A. Nesbit, shall operate to vest the said right, title and interest of the said Samuel Nesbit in said land, in said Frederick Snyder, his heirs and assigns, as fully and effectually as if the said Samuel Nesbit were competent to sell and convey, and did actually sell and convey the said land : *Provided*, That before making and delivering any conveyance of said land, the said James A. Nesbit shall file in the court of common pleas of Mercer county, a bond, in such form and amount as the said court shall order and direct, and with security, to be approved by said court, conditioned for the faithful application of the purchase money of said land to the use and benefit of said Samuel Nesbit, and to pay any balance of the said purchase money, remaining at the decease of the said Samuel Nesbit, to and among his legal heirs according to law.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 584.

## A N A C T

Authorizing the Orphans' Court of Centre county to order satisfaction on a certain Mortgage.

WHEREAS, James Foster died, without issue, in Centre county, in eighteen hundred and thirty-nine, leaving an estate to be distributed to and amongst collateral heirs, some of whom were said to be residents in the southern states, and where all his real and personal estate was sold and the proceeds distributed, and his administrators and trustees discharged by the orphans' court of Centre county :

And whereas, Four hundred dollars of the money in the hands of said administrators and trustees was paid to T. M. Hall, by order of the orphans' court, the        day of May, one thousand eight hundred and fifty-six, for certain heirs of said James Foster, whose residence could not be ascertained, and who are believed to be dead, for which the said T. M. Hall executed a mortgage on real estate situated in Centre county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the orphans' court of Centre county is hereby authorized and empowered to order the mortgage, executed by T. M. Hall to the commonwealth of Pennsylvania, the ninth day of July, one thousand eight hundred and fifty-six, and recorded in the recorder's office, in Centre county, in book E, page five hundred and sixty-seven, for four hundred dollars, to be satisfied, the said money having been paid into the orphans' court by the administrators and trustees of James Foster, deceased, for certain heirs of said James Foster, whose residence cannot now be ascertained: *Provided,* That the distribution of said money shall be made to the persons known to be interested in the same, under the direction of the orphans' court of Centre county.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 585.

## AN ACT

Supplementary to an act to regulate the sale of Intoxicating Liquors, approved April twentieth, one thousand eight hundred and fifty-eight.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall hereafter be the duty of every constable of the city of Philadelphia to make return, under oath, to the court of quarter sessions of said city and county, on the first Monday of each and every term of said court, the names of all persons vending intoxicating liquors, either in an inn, tavern, restaurant, eating house or otherwise, within the ward of which he is the constable, who has not fully complied with the provisions of the fourteenth, fifteenth, sixteenth, seventeenth and eighteenth sections of the act of April twentieth, one thousand eight hundred and fifty-eight, entitled "A supplement to an act to regulate the sale of intoxicating liquors, approved the thirty-first day of March, Anno Domini one thousand eight hundred and fifty-six;" and upon any neglect or refusal to perform the duty hereby enjoined, shall be guilty of perjury.

Constables to make return of venders of intoxicating liquors.

SECTION 2. That hereafter the clerk of quarter sessions of the city of Philadelphia shall collect, from the person obtaining a license under the provisions of the act above mentioned, the sum of one dollar, for the constable of the ward in which the inn, restaurant or eating house is situated, to be paid to the said constable as a compensation for the service aforesaid.

Compensation of constable.

SECTION 3. That any person returned as aforesaid by said ward constable for vending liquors without license, shall be tried in the said court; and if found guilty of such offence, shall be fined in a sum not exceeding two hundred dollars, and imprisoned for a term of not more than two years.

Penalty for vending without license.

SECTION 4. That any person proposing to open a hotel, inn, tavern, restaurant or eating house in said city, after the time now fixed by law for granting such licenses, may apply to the commissioners of said city, and upon compliance with the several provisions of said act, a license may be granted, to expire on the first day of June then next succeeding, upon payment of a sum in proportion for the time such license shall be granted.

Commissioners may grant licenses.

SECTION 5. In case any person who shall have obtained a certificate under the provisions of the fifteenth section of said act, shall neglect or refuse to pay the city treasurer, and to take out a license as therein provided, it shall be the duty of the city treasurer, at any time after the first day of July of each year, to proceed to collect the amount of such license, with fees and costs, in the same manner as retailers' licenses are now collected in the said city.

Neglect or refusal to pay license, relative to

Repeal.

SECTION 6. That the provisions of any act inconsistent herewith, be and the same are hereby repealed.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 586.

## AN ACT

To incorporate the Allentown Military Hall Association.

Corporators.

Style.

Purposes and powers.

Proviso.

Duty of commissioners.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Thomas Yeager, E. J. Moore, George Beisel, Thomas Mohr, Charles L. Martin, Reuben Guth, Samuel A. Bridges, Peter Weikel, Jonathan Reicherd, William H. Gausler, Samuel M'Hose and Nelson Weiser, and their successors, and all persons who now are or hereafter may be associated with them, be and they are hereby created and erected into a body corporate and politic, in deed and in law, by the name, style and title of the Allentown Military hall association; and by that name shall have perpetual succession, and be able to sue and be sued, plead and be impleaded, in any court of law or equity; and to take and to hold, to them and their successors, either by grant, gift, devise or lease, any lands or real estate, for the purpose of erecting thereon a suitable building or buildings for the use of said association, any goods or chattels, sum or sums of money, by gift, grant, bargain, sale, will, devise or bequest from any person or persons whatsoever, capable of making the same, and the same at their pleasure to grant, bargain and sell, for the use of said association; and to borrow any sum of money, for the purposes of said association, not exceeding ten thousand dollars, and to secure the same by bond or mortgage on the property thereof; and generally to do all and singular the matters and things which it shall be lawful for them to do for the well being and due management of the affairs of said association: *Provided,* That the real estate of which the said corporation shall be at any time possessed, shall not exceed the clear yearly value of five thousand dollars.

SECTION 2. That the persons hereinbefore named are hereby appointed commissioners to do and perform the several acts and



things hereinafter mentioned; that is to say, they or such of them as shall act in the premises, not less than five, shall, as soon as conveniently may be, and within two years next after the passage of this act, procure and open a suitable book or books, at such time and place as they may designate, in the borough of Allentown, Lehigh county, of which time and place at least ten days' notice, publicly given in one or more English newspapers of the county aforesaid, in which book or books they shall enter as follows: We whose names are hereunto subscribed, do promise to pay to the trustees and company of the Allentown Military hall association, the sum of twenty-five dollars for each and every share of stock set opposite our respective names, in such manner and proportions, and at such times as shall be determined by the trustees of said association. Witness our hands and seals the                      day of                      Anno Domini one thousand eight hundred and sixty. And at the time and place so designated and named in the public notice to be given as aforesaid, the said commissioners, by themselves, or any five of them, or by any committees to be by them appointed, shall attend for the purpose of opening the books to receive subscriptions for stock; and the said books shall be kept open at least four hours on such day, at the time and place designated in the public notices to be given as aforesaid; and in case eight hundred shares (being the capital stock of said association) be not all sold on the day or days of the first opening of the books, the number remaining unsold may afterwards be disposed of, at such time and place, and under such regulations as the trustees for the time being may order: *Provided*, That no such subscription for such stock shall be valid, unless the party or parties making the same shall, at the time of subscribing, pay to said commissioners one dollar on each and every share, for the use of the association.

When books to be opened.

Notice of to be published.

Form of subscription.

Opening books and receiving subscriptions, relative to.

Proviso.

Organization.

SECTION 3. That at least five of the acting commissioners in the premises, as aforesaid, shall, as soon as conveniently may be after four hundred shares of said stock are subscribed, appoint a time and place for the subscribers to meet, in order to organize the said association, and shall at least give ten days' previous notice thereof, in one or more newspapers of the county of Lehigh, aforesaid; and the subscribers when met, shall by ballot elect, by a majority of the voters present, five trustees, citizens and residents of said borough of Allentown, to conduct and manage the affairs of the association until the next first day of January following, of the next following year; and shall annually thereafter, on the first day of January thereafter, elect five trustees as aforesaid, to serve one year; and the three commissioners first named shall be the judges of the election of trustees; and the judges of all future elections shall be appointed by the trustees.

First election of trustees.

Where to reside.

Annual election of trustees.

SECTION 4. That it shall and may be lawful for the borough of Allentown, according to the discretion of the burgess and council thereof, or a majority thereof, for the time being, to subscribe to or purchase any number of shares, not exceeding three hundred, of the capital stock of said association; and the said burgess and council are hereby authorized to borrow, in anticipation of their taxes, such amount as they may determine to

Borough of Allentown may subscribe to capital stock.

subscribe, in order promptly to meet the payment of such subscription.

Neglect or refusal to comply with terms of subscription.

SECTION 5. That in the event of any of the subscribers refusing or neglecting in anywise to comply with the terms of subscription or subscriptions, for the space of sixty days after they shall have been respectfully notified thereof, they shall forfeit the money or instalment already paid, which shall inure to the benefit of the association generally.

Object of association.

SECTION 6. That the object of said association shall be to provide, erect and furnish a hall, or suitable building or buildings, in the borough of Allentown, for the accommodation of the borough authorities, and for such literary associations, beneficial societies, military companies, fire apparatus, reading rooms, arbitrators' rooms, as now are and may hereafter be established in the aforesaid borough, and also suitable for public meetings, lectures, exhibitions, entertainments and library, and for other purposes not inconsistent to the foregoing.

Seal.

SECTION 7. That it shall and may be lawful for the said corporation to have a common seal, and the same, at will and pleasure, change, alter and renew, as they shall think proper; and shall have and exercise all the rights, privileges and immunities necessary for the purpose of the corporation hereby constituted, and as herein expressed.

Officers.

SECTION 8. That the trustees for the time being, or a majority of them, shall have power to carry out the objects of the association as hereinbefore expressed, to elect a president from their own body, to elect a treasurer and secretary, which officers last named shall be filled by one person, and to appoint such other officers and agents as they may deem necessary to carry out the objects aforesaid, conduct and execute the business and affairs of said association, to fix their compensation, and in their discretion to dismiss them, to provide for the investment of the funds of the association in a manner they shall deem most safe and beneficial, to provide for paying all the necessary expenses of conducting the affairs of the association, and generally to pass all such by-laws as shall be necessary to the exercise of said powers, and of other powers vested in said association; and the said by-laws, from time to time, alter, amend and repeal: *Provided*, That such by-laws shall not be contrary to the constitution of this state or the United States.

Compensation.

By-laws.

Committee of examination, duties of. &c.

SECTION 9. That it shall be the duty of the trustees, at least once in a year, to appoint, from the members of the association, three competent persons as a committee of examination, whose duty it shall be to investigate the affairs of said association, and to make report thereof; and it shall also be the duty of the trustees, at such times as they may designate, in each and every year, to make and declare a dividend of the interest and profits of said association, after paying the expenses, and the same to pay over to the stockholders, or their legal representatives, within thirty days thereafter; such committee of examiners shall be duly sworn according to law first; and such oaths shall be administered by any justice free of charge.

To be sworn.

Reservation.

SECTION 10. That the legislature hereby reserves the right to alter or amend the charter hereby granted, whenever in their opinion it may be injurious to the citizens of the commonwealth;

in such manner, however, that no injustice shall be done to the corporators.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 587.

## AN ACT

To incorporate the Wyoming Monument Association.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Catharine M. Jenkins, Jane E. Schooley, Maria Angell, Emily Sturdevant, Maria Shoemaker, Ellen M. Jenkins, Sarah Tripp, Falla Breese, Catharine B. Sharps, Sarah E. Atherton, Sarah Polen, Eunice Perkins, Sarah Crawford, Elizabeth Hancock, Sarah Jane Atherton, Joanna Gore, Caroline Pettebone, Mary Sweetland, Ann Hunt, Sarah Reiley, Stella Shoemaker, Susan Dorrance, Matilda Bennet, Sarah A. Schooley, Elizabeth Carpenter, Catharine Jones, Phœbe Jacobs, Lydia Polen, Mary E. Jenkins, Mary Jane Coray, Mary Richart, Jeannette Crawford, Anna Hutchins, Caroline Goodwin, Parmelia Church, Mary E. Breese, Mrs. — Case, Mrs. — Denison, Ellen A. Law, Cornelia E. Hurlbut, of Luzerne county, and their associates, successors and assigns, be and they are hereby created a body politic and corporate in law, by the name, style and title of the Wyoming Monumental association, and by that name shall have perpetual succession, and be able to sue and be sued in any court of law or equity, and may have and use a common seal; and shall have power to purchase, receive by gift, or otherwise, have, hold and enjoy, to them and their successors, such real estate as they may purchase, or as may be given them, on or near which the Wyoming monument now stands, not exceeding in the whole, five acres; and the said corporation shall have authority to receive gifts and bequests, for the purpose of ornamenting the grounds around the said Wyoming monument, and to hold such personal estate as they may deem necessary to carry out the objects of the association.

Corporators.

Style.

Powers and privileges.

SECTION 2. That the affairs of the said association shall be conducted by a president, vice president, four managers, a trea-

Officers.

- Election, when held. surer and secretary, who shall be elected by a majority of the votes of the members of the corporation, present and voting at the election on the first Saturday of April, in each and every year; and in case no election shall be held at the time aforesaid, the officers of the preceding year shall continue in office until an election shall be held; the said president, vice president, treasurer and secretary shall fill all vacancies, which may occur in their own body, out of some of the members of the association, and shall have power to take charge of the said Wyoming monument, and to lay out and ornament the grounds of the said association around the said monument, to erect such buildings, fences or other erections thereon, as they may deem necessary; to appoint all necessary officers, other than the above, and fix their several duties and compensation; and to make such by-laws, rules and regulations as they may deem proper for conducting the affairs of the corporation and controlling its property.
- Vacancies, how filled. SECTION 3. Any person contributing one dollar to the funds or purposes of this association shall be a member thereof, and shall continue a member thereof upon payment of such yearly sum, not exceeding one dollar, as may be prescribed by the association; and any person contributing five dollars, as aforesaid, shall be a life member of this association.
- Duty of officers. SECTION 4. That the provisions of the act of assembly of seventh May, eighteen hundred and fifty-five, relating to punishment for violating grave yards, or for wilfully injuring the same, be and the same are hereby extended to the property of this association, in the same manner as though fully recited herein.
- Members, how qualified. SECTION 5. That the property of this association shall be exempt from taxation for state or municipal purposes, and also from levy and sale for any debt of the said association; nor shall the real estate of the said association be sold by the said association itself, but it shall ever be and remain for the use of the Wyoming monument forever.
- Certain act of assembly extended to. SECTION 6. This act shall not be subject to the payment of an enrolment tax, or any other tax, to the commonwealth.
- Exempt from taxation.
- From levy and sale for debt, &c.
- Not subject to enrolment tax.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 588.

## A N A C T

To incorporate the Philadelphia and Montgomery County Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Isaac Norris, Henry Simons, Joshua Lippincott, Samuel H. Crawford, James Carmichael, John Felton, John W. Hoffner, John Gaulbert, Messmer Gaulbert, Daniel R. Harper, J. Dickinson Logan, Charles Camblos, John S. Houghton, Samuel C. Ford, Benjamin Lippincott, Christopher Simons, Ephraim Clark, Jr., Thomas Gegan, Alexander Martin, George Magee, Leonard Steinmetz, J. H. Seltzer, Thomas Finley, George P. Evans, Samuel B. Morris, Thomas Drake, John Hellerman, John P. Verree, Jacob Blake, Joseph W. Ryerss, Charles Newbold, George W. Rhawn, Joseph T. Ford, Samuel Wright and Stephen R. Crawford, of the city of Philadelphia; and Thomas Rowland, Benjamin Rowland, John Cook, Newberry A. Smith, John Smith, John Walton, B. C. Snowden and Charles Robbins, of Montgomery county, or any three of them, be and they are hereby appointed commissioners to open books, receive subscriptions, and organize a company, by the name, style and title of the Philadelphia and Montgomery County railroad company, with power and authority to construct a railroad, beginning at any point on or north of Berks street, and between Front and Sixth streets, in said city of Philadelphia; thence by any street or avenue of said city to the intersection of Lehigh avenue and Second street; and thence along said Second street and the Kensington and Oxford turnpike road, through the village of Olney, to any point on said turnpike road within the limits of the Twenty-third ward of said city; with power, also, whenever it may be deemed by them advantageous, to construct a lateral road from any point along the line of their said railroad, by such route as they may see proper, to the village of Bustleton; subject to all the provisions and restrictions of an act regulating railroad companies, approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine, and the several supplements thereto, so far as the same are not altered or supplied by this act; and the said railroad shall conform to the grades of the streets of said city over which it may pass; and the said railroad company shall have the right to cross, at grade, any railroad which is now or hereafter may be built within the limits of the said city of Philadelphia.

Commissioners.

Route.

May construct lateral road.

Subject to.

Must conform to grades of streets, &amp;c.

SECTION 2. That said railroad company shall have the power to make such arrangement with the Kensington and Oxford turnpike road company as may be mutually agreed upon, either by lease, purchase or otherwise; and said companies are hereby

Power to make certain arrangements with Oxford turnpike road company.



respectively authorized and empowered to make and enter into such agreement; but said agreement shall not be valid or binding upon said turnpike company, unless assented to by a majority of the stockholders, in amount of stock by them held in said turnpike company: *Provided*, That said railroad shall not be constructed upon the macadamized portion of said turnpike, except where it may be necessary, on bridges, or for the purposes of turnouts.

Proviso.

Capital stock.

SECTION 3. That the capital stock of the said company shall consist of four thousand shares of the par value of twenty-five dollars each: *Provided*, That the said company may, from time to time, by a vote of the stockholders, at a meeting called for that purpose, increase the capital stock, if it should be deemed necessary, to an amount sufficient to carry out the full intent and meaning of this act; and the said company shall have the power of borrowing any sum, not exceeding in amount the one-half of their capital, at a rate of interest not exceeding seven per centum per annum, and to secure the payment of the same by the issue of a bond and mortgage of the said railroad, together with the corporate rights and franchises granted by the act: *Provided*, That no bond shall be issued of a less denomination than one hundred dollars.

Proviso.

Proviso.

Management.

SECTION 4. That the affairs of the said company shall be managed by a president and six directors, of whom any three directors and the president, or any five directors, in the absence of the president, shall constitute a quorum.

Tolls.

SECTION 5. That the tolls to be charged by said company for the carriage of passengers over their said railroad, shall be at the rate of not more than ten cents for each passenger conveyed three miles, or any distance under three miles, and for any distance beyond three miles at the rate of not more than three cents per mile; all fractional parts of a mile being considered and charged as one mile.

Consent of city  
councils to be  
had

SECTION 6. That the consent of the councils of the city of Philadelphia shall be first had before the said company shall commence to place rails upon the paved streets, on which the said road is hereby proposed to be laid.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.



No. 589.

## A N A C T

To incorporate the Farm Stock Association of Delaware county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Emmon Eachus, John J. Rowland, Charles D. Manley, H. J. Brooke, Jonathan Vernon, Reece Pyatt, Joseph Lewis, J. Reece Lewis, A. P. Morgan, Joseph Engle, J. Howard Lewis, John G. Dyer, J. L. Garrett, Joshua P. Eyre, Frank Smith, William H. Grubb, Thomas Darling, Samuel Riddle, Thomas T. Powell, Anthony Baker, John F. Park, Henry Hipple, John B. Holland, Hibberd Powell, Jacob L. Serrill, Robert M'Callwin, H. Gesner, Jackson Lyons, Joseph M. Hiser, Nathaniel Ring and Ellwood Tyson, their associates and successors, be and they are hereby created a body politic and corporate in law, by the name, style and title of the Farm Stock association of Delaware county, and by that name shall sue and be sued, and shall generally possess the powers and privileges of a corporation, with power to purchase, hold, sell, transfer or lease real or personal property in their corporate capacity.

Corporators.

Style.

Powers.

SECTION 2. That the object of said association shall be to provide, keep and maintain, adjacent or near to the institute of science, in the county of Delaware, grounds and other real and personal estate not exceeding, in net yearly value, five thousand dollars, suitable for gymnastic and other healthful and amusing exercises, and to hold exhibitions for the improvement of the breed of horses, cattle and live stock generally, for the advancement of agriculture, horticulture, manufactures, mechanics and the fine arts, under such managements and restrictions as to admission and otherwise, as may be prescribed by the board of directors; and to offer and pay such premiums upon articles so exhibited, and upon stock and their performances, as they may deem necessary and calculate to promote the object of said exhibitions.

Object and purposes.

SECTION 3. That the capital stock of said association shall be six thousand dollars, divided into shares of ten dollars each, with the privilege of increasing the same to any amount not exceeding twenty thousand dollars: *Provided*, That a majority of the stockholders consent thereto.

Capital stock.

SECTION 4. That the said association shall possess all the powers and privileges, and be subject to all the restrictions contained in the third, fifth, sixth, seventh, eighth, ninth, tenth and twelfth sections of the act to incorporate the New Castle park association, in Lawrence county, approved the twentieth day of February, Anno Domini one thousand eight hundred and fifty-eight.

Subject to

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 590.

## A N A C T

To incorporate the Dime Savings Institution of Pottsville.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

Corporators.

Azariah Prior, Hanson E. Atkins, John Hughes, Richard Lee, Strange N. Palmer, Solomon Foster, Frank Pott, William Mortimer, junior, George de B. Keim, Thomas H. Walker, Samuel H. Shannon, William Price, Bird Patterson, William Wolffe, Charles M. Atkins, George Bright, Lewis Vastine, George Repplier and Benjamin Haywood, and their successors, be and they

Style.

are hereby made and created a corporation and body politic, by the name and style of the Dime savings institution of Pottsville, and by that name shall have perpetual succession, and by law

Privileges.

be capable to hold and dispose of property, to sue and be sued, plead and be impleaded, answer and defend in courts of law or equity, or in any other place whatsoever, and to make, have and use a common seal, and the same to alter and renew at pleasure, and generally to do every act and thing necessary to carry into effect the provisions of this enactment, and promote the object and design of this act of incorporation, to be located in the borough of Pottsville and county of Schuylkill: *Provided*, That a misnomer of the said corporation, in any instrument, shall not vitiate the same, if the intent of the parties can be clearly ascertained: *And provided further*, That nothing in this act contained shall be so construed as to confer upon the said corporation banking privileges, or so as to exempt the same from the operation of the laws of this commonwealth prohibiting the issuing of bank notes or engagements of credit in the nature thereof.

Proviso.

Proviso.

Business of corporation.

SECTION 2. That the business of the said corporation shall be to receive on deposit, from time to time, such sums of money, not less than ten cents, as may be offered by boatmen, tradesmen, clerks, mechanics, laborers, servants, minors, married women and others, and to invest the same in the stocks of this commonwealth or of the United States, or in stocks and bonds of any city authorized to be issued by any act of the legislature of this commonwealth, or in other stocks, or in bonds and mortgages or other approved securities; the said corporation shall receive all sums of current money that may be offered as aforesaid, and shall invest the same in the manner aforesaid, as soon as practicable; they shall allow to the depositors interest upon the deposits, to be regulated by the trustees as hereinafter provided; and they shall pay the amounts deposited, with the interest thereon, or any part thereof, not less than ten cents, to the depositors at the place of business of the said corporation, at any time during business hours, on demand: *Provided however*, That not more than twenty-five dollars shall be required to be paid to

Investments.

Interest.

Proviso.

any one depositor, upon any one day, unless a written notice of the sum intended to be demanded shall have been given at least ten judicial days before the time when such payment is desired to be made.

SECTION 3. That the real estate which it shall be lawful for the said corporation to hold, shall be only such as is requisite for the accommodation and convenient transaction of their business, and such as they may find necessary to purchase, either at judicial sales or otherwise, to secure debts due to them. Real estate.

SECTION 4. That the persons named in the first section of this act, or any nine of them, shall elect by ballot nine persons, either from among those named in this bill or others, to be the first trustees of the said corporation; no person to be considered elected unless he shall have received the affirmative vote of at least five of the said corporators; that vacancies by death, resignation or otherwise, shall be filled by the board of trustees as soon as practicable, by an affirmative vote of at least five of their number, at any election held by ballot; that the said trustees shall select from among themselves a president and vice president, and shall appoint such other officers as they may deem necessary; that five of the said trustees shall form a quorum, and that the affirmative vote of at least five shall be requisite to authorize the sale or transfer of securities, or the appointment of any officer receiving compensation; that the president, vice president, or any trustee, or any officer or servant of the said corporation, shall not directly or indirectly borrow the funds of the said corporation, nor any part thereof, nor use the same, nor any part thereof, in any other manner than that hereinbefore provided, except for the payment of the necessary expenses, under the direction of the board of trustees; that the said trustees shall meet regularly at least once a month, and that any trustee omitting to attend the said regular meetings for six successive months, may, by a vote of the board, be declared to have vacated his office; that the said trustees shall have power to enact by-laws not contrary to the constitution of the United States, the constitution of this commonwealth, or to the provisions of this act, and to alter the same from time to time as they may deem expedient. Election of trustees.  
Vacancies.  
Officers.  
Quorum.  
Officers not to borrow funds.  
Meetings of trustees.  
By-laws.

SECTION 5. That the trustees shall regulate the rate of interest upon the deposits and publish the same annually, which at no time shall be less than four per centum; that interest shall not be allowed to any depositor until his deposit amounts to two dollars, the interest to be calculated by calendar months only, and no interest to be allowed for the fraction of a month; that deposits made by minors or married woman may be re-paid to them, and their receipts shall discharge the said corporation from any further claims for the sums so re-paid. Interest on deposits.

SECTION 6. That for the security of the depositors of the said institution it shall be the duty of the persons named in the first section, and such others as may become members of the institution previous to the granting letters of incorporation, to raise and form a capital of not less than ten nor more than fifty thousand dollars, in shares of twenty-five dollars each, which capital shall at all times be liable to the depositors for the amount of their deposits and the interest accruing thereon; the shares to be Security to depositors, relative to.

transferable on the books of the institution, in such manner as may be designated by the by-laws of said institution.

Reports to legislature.

SECTION 7. That it shall be the duty of the trustees aforesaid, in the month of January in each year, to report to the legislature the aggregate amount of deposits on hand, with the interest which has accrued thereon; and, as often as they may deem proper, make and declare a dividend of the interests and profits of said corporation, after paying its expenses and reserving a fund for contingencies, and the same pay over to the shareholders or their legal representatives, within ten days thereafter; and to make a full exhibit of the affairs of said institution, according to the acts of the general assembly in such case made and provided.

Dividends.

Official bonds.

SECTION 8. That the officers and agents of the said corporation shall give such security for their fidelity and good conduct, as the board of trustees may require; that in all cases of loans upon real estate, the expenses of searches, examinations, and certificates, and recording papers, shall be paid by the borrower; that the books of the said corporation shall at all times, during business hours, be open for the inspection and examination of such person or persons as the legislature shall designate or appoint as agents for that purpose; that the said corporation shall be subject to the supervision and control of the court of common pleas of the county of Schuylkill, and the supreme court of Pennsylvania, according to the provisions of the constitution of this commonwealth, and the several acts of assembly conferring equity jurisdiction upon the said courts.

Inspection of books.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 591.

## AN ACT

Supplementary to the several acts in relation to the Williamsport and Elmira Railroad Company.

Preamble.

WHEREAS, By virtue of certain proceedings in the supreme court of the state of Pennsylvania, and in pursuance of a decree of the said court, the whole of the railroad of the Williamsport and Elmira railroad company, together with its franchises, tracts of land and the property of said company, and its appurtenances,

except the rolling stock described in the inventory attached to the mortgage, known as the chattel mortgage of the said company, may be sold at public sale; and all the parties interested in the said company as stockholders and bondholders, or a large majority of them, have agreed upon an amicable settlement of their differences, and require the authority of a law to carry the same into effect; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in case the railroad, property and franchises of the Williamsport and Elmira railroad company shall be exposed at public sale, by virtue of any decree of the supreme court of the state of Pennsylvania, it shall be lawful for the agent or attorney of the holders of the bonds, or more than one-half thereof, secured by the first mortgage executed by the said company, dated the first day of January, one thousand eight hundred and fifty-three, to bid for and purchase the whole of the said property; and if such agent or attorney shall become the purchaser thereof at the said sale, he shall, on the confirmation of the sale by the said court, or one of the judges thereof, sitting in equity, and the execution and delivery of a deed or deeds for the said property, thereupon become seized and possessed of the same, and of all the rights, powers, immunities, franchises and appurtenances granted to and conferred upon the said Williamsport and Elmira railroad company by any laws of this commonwealth, and resolutions of the general assembly, for the use and benefit of the said first mortgage bondholders, who have, or may, by writing, under their respective hands, authorize him or them to act for them in the premises.

Sale of road, relative to.

Attorney of first mortgage bonds may become purchaser.

Rights and powers of purchaser.

SECTION 2. That in case F. A. Van Dyke, junior, John Tucker, James S. Fox, William Schott, Thomas Kimber, junior, Stephen R. Crawford, S. V. Merrick, William D. Lewis, R. J. Mercer and A. S. Diven, or the survivors, or a majority of them, shall, within sixty days after the passage of this act, or within thirty days after the delivery of the aforesaid deed for said premises, if said delivery shall take place after the passage of this act, agree to accept the provisions of this act, it shall be lawful for them, or a majority of them, to meet, on notice of any one of them, and by written articles of association, organize themselves into, and they shall be a corporation, under the name and title of the Elmira and Williamsport railroad company; and the parties there attending, being a majority of the parties aforesaid, shall proceed to elect, by ballot, a president and six managers, one of whom shall be a resident of the state of New York, to manage and conduct the affairs of the said corporation; and on the formation of said corporation, within sixty days after the passage of this act, or within thirty days after the delivery of the deed for the property aforesaid, to the said agent or attorney of first mortgage bondholders, (if said delivery shall take place after the passage of this act,) it shall be lawful for and be the duty of said agent or attorney, and he or they are hereby authorized, and absolutely required, to sell and convey to the said corporation all of the said property, rights and franchises so as aforesaid purchased by and conveyed to him or them, for the

Corporators.

Title.

Election of officers.

Property, rights, franchises, &c., to be conveyed to new corporation.



price or sum of one million of dollars, on the terms and conditions hereinafter expressed, and to execute and deliver a deed or deeds for the said property, together with all the rights, powers, immunities, franchises and appurtenances vested in him as aforesaid; and immediately upon the delivery of the said deed to the said corporation, organized as aforesaid, the said body politic and corporate, in deed and in law, shall become and be vested with, and shall have and enjoy all the rights, powers, privileges and immunities, franchises and appurtenances, heretofore granted to and conferred upon the said Williamsport and Elmira railroad company, by the laws and resolutions of the general assembly of this commonwealth, so far as the same shall be consistent with the provisions of this act.

To execute bonds and mortgage.

SECTION 3. That the said Elmira and Williamsport railroad company shall execute, under their corporate seal, their bonds for the sum of one million of dollars, payable on the first day of January, one thousand eight hundred and eighty, with interest at the rate of seven per cent. per annum, commencing from July first, one thousand eight hundred and sixty, and payable on the first days of January and July, in each and every year, until the principal thereof shall become due; and any or all of the said bonds shall be convertible into the common stock of the company, at par, at the option of the holder or holders thereof; and the said bonds may be coupon bonds, or transferable on the books of the company, at the election of the said agent or attorney, and shall be in such amounts, of not less than one hundred dollars each, as the said agent or attorney shall designate; and the said company shall execute, under their corporate seal, to a trustee or trustees, to be named by Ellis Lewis, Charles Macalester, E. S. Whelen, Moncure Robinson, C. Gibbons, W. H. Drayton, or a majority of them, or of the survivors of them, a mortgage of all the property, rights and franchises which may be conveyed to the said company as aforesaid, and conferred upon them by this act, to secure the payment of the principal and interest of the said bonds; and they shall deliver the said bonds and mortgage to said agent or attorney, in settlement of and as the said purchase money, at and immediately after the delivery of his said deed to the company; and the said company are hereby further authorized and required to execute and deliver to the agent of the first mortgage bondholders, their bond or obligation to reimburse all the expenses incurred by said bondholders in this proceeding, except the charges of their counsel.

To be convertible into common stock.

Selection of trustee to whom mortgage is to be executed.

Expenses in this proceeding, how paid.

Payment of semi-annual interest, relative to.

SECTION 4. That the mortgage authorized by the third section of this act shall contain a covenant, on the part of the company with the said trustees, that the said company shall make monthly deposits, to the joint credit of the said trustees and company, in the Pennsylvania company for insurance on lives and granting annuities, or in such other corporation, authorized to receive deposits, as the said trustees may designate, from time to time, of such sums as have been or may be agreed upon, sufficient in the aggregate to pay the semi-annual interest on the said bonds, as the same from time to time becomes due, and in trust for that purpose; and that on failure, for sixty days, of the said company to make such monthly deposits for the year one thousand



eight hundred and sixty, so as to provide for the interest falling due on the said bonds on the first day of January, one thousand eight hundred and sixty-one, or on failure of said company, from time to time, to pay the interest on said bonds, or any of them, for sixty days after interest thereon shall become due, the whole principal sum on each and all of the bonds then outstanding shall become due and payable; and the trustees of the said mortgage shall have power to enter upon the property and franchises of the company, or sell the same, or to adopt any other legal or equitable remedies to enforce payment of the said principal and interest; and it shall be imperative on the said trustees to enter and sell, without excuse or delay, in case of any such default, on the request, in writing, of the holders of two hundred thousand dollars in amount of the said bonds; and in case of such entry or sale, the rights of the stockholders, and the powers of the managers and agents of the said company, shall thereupon cease; and the purchasers at such sale shall be vested with all the corporate powers, property, rights and franchises of the said corporation, and shall have power to hold elections for officers; and each bondholder, in case the said property shall be purchased for them, shall be entitled to two votes for every one hundred dollars of loan held by him or her, secured by said bonds and mortgage.

SECTION 5. That the capital stock of the said Elmira and Williamsport railroad company shall be one million of dollars, consisting of twenty thousand shares of fifty dollars each, to be divided into ten thousand shares of seven per cent. preferred stock, and ten thousand shares of common stock; and the said company shall deliver and distribute seven thousand shares of said preferred stock, *pro rata*, among the holders of the bonds secured by the second mortgage of the Williamsport and Elmira railroad company, and the remaining three thousand shares of preferred stock shall be applied, by the managers of the said company, to the payment of the confidential debt of the Williamsport and Elmira railroad company, as agreed in respect thereto; and the said managers shall deliver to the present stockholders of the Williamsport and Elmira railroad company, certificates for six thousand shares of the said common stock, in proportion to their respective interests in the stock of the old company, and certificates for two thousand shares thereof to the said agent or attorney mentioned in the first section of this act, for the payment of outstanding coupons on the said first mortgage bonds, and may, at their discretion, apply the residue of the said common stock towards the payment of the unsecured debt of the company.

Capital stock.

Preferred stock.

Common stock.

Preferred stock,  
how distributed  
and applied.Common stock,  
relative to.

SECTION 6. That the preferred stock of the said company shall be entitled, each year, to a dividend of seven per cent. out of the net earned profits of the year, after the payment of the interest on the said bonds, and all expenses and needful repairs of the road; and the common stock shall be entitled to the surplus of the profits of that year to the extent of seven per cent., and the excess thereof shall be divided equally between the preferred and common stock.

Dividends.

SECTION 7. That the said company shall issue no new stock except as provided in the third section of this act, nor shall any

New stock, rela-  
tive to issuing of.

new mortgage or other lien on the said railroad, property and franchises be created without the consent, in writing, of the holders of three-fourths in amount of the bonds authorized by the third section of this act; and this provision shall be inserted in the mortgage authorized by the third section of this act.

Officers.

SECTION 8. The president and managers of the said Elmira and Williamsport railroad company, elected as aforesaid, shall continue in office until the first Monday in May, one thousand eight hundred and sixty-one, when, and annually thereafter, on the first Monday in May, an election of president and six managers, as aforesaid, shall be held by the stockholders and bondholders, to serve for the ensuing year; and at all such elections, and in the proceedings of said company, each share of stock shall be entitled to one vote, and any holder of each bond of one hundred dollars and upwards, authorized by the third section of this act, shall be entitled to two votes for each one hundred dollars of such bond or bonds.

Election of.

Votes.

May lease and run its engines, &c., over connecting roads.

SECTION 9. The said company shall have the power to lease and run its engines and cars over any connecting railroads, on terms to be mutually agreed upon, and to lease or purchase an adequate amount of rolling stock to operate the said road, and to make such purchases, from time to time, if necessary, with the company's bonds, secured by chattel mortgage upon specific property so purchased; the said company shall also have the right to construct branch roads, not exceeding fifteen miles in length, to connect with any mines, canals or other railroads.

May construct branch roads.

Certificate of organization to be sent to secretary of state.

SECTION 10. That it shall be the duty of the corporation receiving the conveyance mentioned in the second section of this act, within one month after its organization, to make a certificate thereof, under the common seal, attested by the secretary and president, specifying the date of such organization, the name of the president and directors, and transmit the said certificate to the secretary of state at Harrisburg, to be filed in his office; and a certified copy thereof shall be evidence of the existence of said corporation.

May comply with present existing order of court.

SECTION 11. The said company last mentioned, before payment of any dividends from the earnings of the railroad, may comply with the present existing order of the court in equity, appointing a receiver for the property of the Williamsport and Elmira railroad company, and may further assume such other indebtedness and obligations of the said company as agreed in respect thereto.

Non-acceptance by persons named in the first section, relative to.

SECTION 12. In case the persons mentioned in the second section of this act shall not accept the provisions hereof, or shall fail to organize the corporation mentioned in the said section within sixty days after the passage of this act, or within thirty days after the delivery of the deed for the said premises, as herein provided, (if said delivery be made after the passage of this act,) the said agent or attorney shall call a meeting of the bondholders whom he represents, to be held at the Merchants Exchange, in the city of Philadelphia, who shall proceed to organize their company by the election of a president and a board of six managers, to serve until the first Monday in May, one thousand eight hundred and sixty-one; at which election the holder of each bond for one hundred dollars and upwards, shall

Organization of company in case of non-acceptance as provided in first section.

be entitled to two votes for each one hundred dollars of such bond or bonds. The corporate name of the said company shall be the Williamsport and Niagara railroad company, and they shall have and enjoy all the rights, liabilities, powers, immunities and franchises heretofore granted or conferred upon the Williamsport and Elmira railroad company, by the laws and resolutions of this commonwealth; and sections second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth and eleventh of this act shall not take effect.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twelfth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 592.

## AN ACT

To incorporate the Beechwood Cemetery Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John C. Beekman, Joseph Foulke, John P. Crosby, James Boyd, Henry Freedley, Charles H. Hill, John Thompson, be and they hereby are made a body politic and corporate in law, by the name, style and title of the Beechwood cemetery company, and by that name shall have perpetual succession, and be able and capable in law, to have and use a common seal, to sue and be sued in all courts of law and equity, and to do all things incident to a corporation, within the intent of these articles and the acts in such case provided.

SECTION 2. That the said company may, and they are hereby authorized to purchase a tract of land within the county of Montgomery, not exceeding in quantity one hundred and twenty-five acres, and to appropriate all or any part of the same for cemetery purposes, and shall also have power to hold so much personal estate as may be necessary for the purposes of this incorporation.

SECTION 3. That John C. Beekman, Joseph Foulke and John C. Crosby shall constitute the board of managers of the said Beechwood cemetery company, with power to fill any vacancy that may occur in the board from time to time; the said board shall have power to exercise the management and direction of

the said cemetery company and its property, according to the powers herein contained and given, to survey, enclose, lay out and ornament the same, as and for a burial cemetery forever, to erect buildings, and to sell, dispose of and arrange burial lots, granting perpetual right of sepulture to the grantees and heirs or assigns, and to make such by-laws, rules and regulations relative to the election and duties of managers and their successors, the appointment of suitable officers and agents, and their several duties, their compensation or removal at pleasure, the improvement or preservation of the premises, and the granting the right of sepulture and interment of the dead, the government of lot-holders and visitors of the cemetery, and the general management of the affairs of the company, as they may deem expedient or necessary, not inconsistent with the laws or the constitution of the state of Pennsylvania.

Cemetery lots,  
relative to.

SECTION 4. That every lot contained within the said cemetery, disposed of by the said cemetery company for the purpose of sepulture, shall be held for that purpose alone forever, transferable with the consent of the president and managers thereof, and shall not be subject to attachment or execution, and that no public streets or roads shall at any time hereafter forever, be opened upon or through the land of this corporation.

Transfers of lots  
or certificates.

SECTION 5. That the said managers shall have power to make a charge of ten per cent. upon all transfers of lots or certificates for the same, made by the company, to be estimated upon the original prices of the lots respectively, as expressed in the deeds or certificates from the company for the same, to be applied towards the expenses of, or to the improvement of the premises of the said cemetery, or to be invested at the discretion of the managers, as a permanent fund towards the perpetual maintenance of the said cemetery and its repair or improvement.

Privileges and  
protections.

SECTION 6. This cemetery and cemetery company shall have all the privileges and protections extended to cemeteries and cemetery companies by the laws of this commonwealth.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-third day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 593.

## A N A C T

To confirm the title of the Mutual Saving and Loan Association, of Philadelphia, to certain Real Estate, situate in the city of Philadelphia, and to authorize the said Association to mortgage the same.

WHEREAS, William C. Flanigen and wife, by indenture dated Preamble. the eighth day of June, Anno Domini one thousand eight hundred and fifty-nine, and recorded at Philadelphia in deed book A D B, number seventy-six, page one hundred and ninety-seven, et cetera, granted and conveyed to the Mutual saving and loan association of Philadelphia, in fee, a certain three story brick messuage and lot of ground, situate on the west side of Second street, beginning at the distance of thirty-four feet ten and a half inches southward from the south side of Lombard street, in the said city of Philadelphia, containing in front on Second street fifteen feet two inches, and in depth westward seventy feet ten and three quarter inches to an alley, more particularly described in the said deed, on which premises the said association conduct their business:

And whereas, Doubt has arisen as to the ability of the said the Mutual saving and loan association of Philadelphia to hold real estate, but it is proper that the said association should be enabled to hold the real estate aforesaid, and that their title to the same should be confirmed; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said the Mutual saving and loan association of Philadelphia be and they are hereby enabled to have and to hold the above mentioned real estate in fee simple, and that the said deed, made the eighth day of June, Anno Domini one thousand eight hundred and fifty nine, by the said William C. Flanigen and wife, to the said the Mutual saving and loan association of Philadelphia, shall be taken to be good and valid, and that the title of the said William C. Flanigen to the said real estate be vested and confirmed absolutely in and to the said the Mutual saving and loan association of Philadelphia, their successors and assigns; and that any and all rights or claims which this commonwealth may have to the said real estate, be and they are hereby released and extinguished to the said the Mutual saving and loan association of Philadelphia, their successors and assigns.

Real estate, relative holding certain.

SECTION 2. That the said the Mutual saving and loan association of Philadelphia be and they are hereby authorized to mortgage the said real estate, to secure the payment of any money they may borrow thereon.

May mortgage real estate.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.



No. 594.

## A N A C T

To incorporate the Schuylkill County Transportation Company.

Corporators.	<p>SECTION 1. <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,</i> That Levi Mattson, Jacob Kline, Jeremiah Seitzinger, George J. Hehr, Henry H. Huntzinger, Frank Pott, Franklin B. Kaercher and Wellington Kline, all of the county of Schuylkill, Joseph S. Riley, Jr., of the city of Philadelphia, and such other persons as may hereafter become stockholders, are hereby incorporated into a body politic and corporate, in deed and in law, by the name of the Schuylkill County transportation company; and as such shall have full power and authority to procure, purchase and employ locomotive engines and cars, with such other appurtenances and equipments as may be deemed adequate and proper for the objects and purposes of this association, and the same to employ in the transportation of coal, merchandise, lumber and other freights and passengers upon the railroads within the county of Schuylkill, upon the terms provided in the several charters or acts of incorporation of said railroad companies; and the said company shall have all the privileges and immunities belonging to a corporation, may sue and be sued, plead and be impleaded, complain and defend in all courts of law and equity; may purchase, receive, have, hold and enjoy, to them, their successors and assigns, all such estate, real, personal and mixed, as may be necessary for the purposes of the company, and the same from time to time may sell, convey, mortgage, grant, alien and dispose of; may make dividends of such portions of their profits as they may deem proper; and also make and have a common seal, the same to alter and renew at pleasure; and also to establish such by-laws or ordinances and regulations as shall appear necessary and convenient for the government of the corporation; and generally may do all and singular the matters and things which to them shall lawfully appertain to do for the well being of the corporation and business of the same: <i>Provided</i>, That the real estate held shall not exceed thirty thousand dollars in value at any one time: <i>Provided further</i>, That the rights and privileges hereby granted shall not be exercised in violation of any privileges heretofore granted and secured to any railroad or transportation company within the county of Schuylkill.</p>
Name. Power and au- thority.	
Proviso.	
Proviso.	
Capital stock.	<p>SECTION 2. That the capital stock of said corporation shall be fifty thousand dollars, and shall be divided into shares of fifty dollars each, with privilege to increase the same, as may be found necessary and advisable, to any amount not exceeding two hundred thousand dollars, to be divided into shares of fifty dollars each, for which certificates shall be issued, and signed by the president and secretary, and sealed with the common seal of the</p>
Certificates of stock.	



corporation; said stock may be transferred, in person or by attorney, under such regulations as may be prescribed by the by-laws.

SECTION 3. That a president, four directors, and a secretary <sup>Officers, election</sup> and treasurer, shall be elected annually, by ballot, on the second of Monday in January, by the stockholders, or by their legally appointed attorneys or proxies, and each share of the stock shall entitle the holder thereof to one vote; the first election under this act may be held at any time within six months after the passage thereof, by the said corporators, or a majority of them, <sup>When to be held, &c.</sup> named in the first section of this act, on notice to such persons as may have become stockholders in the company; and the board of directors so and hereafter chosen shall appoint such officers and agents as they may deem necessary, and fix the amount of the salaries to the several officers, and shall generally exercise all the powers necessary to promote the interests of the corporation.

SECTION 4. That the legislature hereby reserves the right to <sup>Reservation.</sup> alter, amend and repeal this act, and to resume the franchises herein granted, whenever the public interests require it, so that no injustice be done the corporators; and the privileges hereby granted shall not extend to a period longer than twenty years, unless otherwise granted by the legislature of this commonwealth.

SECTION 5. That the said company shall pay a bonus of one- <sup>Bonus.</sup> half of one per centum on the capital stock of said company, and upon any increase thereof, payable in four equal annual instalments, the first payment to be made in one year from the date hereof; and the said corporation shall also pay such taxes <sup>Tax.</sup> upon dividends as are or may be provided by law.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-sixth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 595.

## A N A C T

To incorporate the Forty Fort Cemetery Association.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

Corporators.	Steuben Jenkins, William Swetland, Thomas P. Hunt, Hiram Denison, Charles D. Shoemaker, Charles Dorrance, William G. Case, with such other persons as they may associate with them, and their successors, be and they are hereby created a body politic and corporate in law, by the name, style and title of the
Style.	Forty Fort cemetery association, and by that name shall have perpetual succession, and be able to sue and be sued, in any
Powers.	court of law or equity, and may have and use a common seal, and the same, at their pleasure, alter and renew, and shall have power to purchase, have, hold and enjoy, to them and their suc-
Proviso.	cessors, any real estate which they may purchase for the purpose of establishing said cemetery: <i>Provided</i> , That the whole quantity of real estate to be held by them as a corporation, shall not exceed twenty-five acres; and the said corporation shall have authority to receive gifts or bequests, for the purpose of ornamenting, or improving, or enlarging said cemetery, and to hold personal property, such as may be deemed necessary to carry out the object of this act.
President and managers, when elected.	SECTION 2. That the affairs of said corporation shall be conducted by a president and six managers, elected on the first Monday of June, in each and every year, and who shall hold and give due notice of said election; and in case no election shall be held at the time aforesaid, the officers of the preceding year shall continue in office until an election shall be held; and the persons named in section first of this act, shall perform the duties of president and managers of said association, until an election shall be held; the president and managers shall fill all vacancies which may occur in their own body, and shall have power to lay out and ornament the grounds purchased for said cemetery, to erect thereon such buildings as may be proper and necessary for the enjoyment of the same, to lay out, sell and dispose of burial lots, to appoint all necessary officers, and fix their several duties and compensation, and to make such by-laws, rules and regulations, as they may deem proper for conducting the affairs of the corporation, for the government of lot holders, and visitors to the cemetery, and for the transfer of lots and the evidence thereof.
First officers.	
Vacancies.	
Ornamenting grounds, &c.	
By-laws.	
Election of officers, where held.	SECTION 3. That the election of officers for the said association shall be held at the place where the general election for Kingstontownship may be held, and every person who shall have contributed five dollars or over, for the purposes of said association, either as a purchaser of a lot or lots in the same, or by gift of that amount, shall be qualified to hold any office in said association, and to vote for the election of the officers of the same.
Qualifications to hold office, vote, &c.	
Burying ground at Forty Fort.	SECTION 4. That the said association shall have the control over the old burying ground at Forty Fort, as fully as over any lands they may purchase, or that may be given or devised to them: <i>Provided</i> , That they shall not remove, or in any manner interfere with the graves of any persons buried therein, except upon the written permission of the nearest surviving relative of said deceased.
Proviso.	
Lot exempt from execution, tax, &c.	SECTION 5. That every lot conveyed in said cemetery, shall be held by the proprietor for the purpose of sepulture alone, transferable with the consent of the president and managers,

and shall not be subject to attachment or execution, nor taxation for any purpose.

SECTION 6. That the trustees of the proprietors of Kingston township are hereby authorized to convey to said association, the public land belonging to said proprietors, adjoining to and in the vicinity of the old burying ground at Forty Fort, and containing about five acres of land. Certain land may be transferred to.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The sixth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 596.

## AN ACT

Changing the name of the Merchants' Insurance Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the name and style of the Merchants' insurance company of Philadelphia, be and the same is hereby changed to the name of the Metropolis insurance company.* Name changed.

SECTION 2. That the number of directors, trustees or managers necessary to transact the business and affairs of the said corporation be nine, and not nineteen, as heretofore required by the charter of said incorporation, five of whom shall constitute a quorum for the transaction of its business. Number of directors or trustees to transact business  
Quorum.

SECTION 3. The stockholders of the said corporation may meet on the third day of April, Anno Domini one thousand eight hundred and sixty, and elect nine directors, trustees or managers, agreeably to the provisions of this act and former acts of assembly in reference to said incorporation. Meeting of stockholders.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 597.

## A N A C T

To incorporate the United States Travelers' Insurance Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

Corporators.

R. P. Gillingham, George K. Ziegler, D. C. Enos, Alexander M. Fox, John Horn, George C. Evans, J. K. Knoer, M. D., William F. Smith, John Lamen, J. G. Fell, John Kessler, Jr., William B. Mann, Henry Bumm, Isaac D. Budd, Henry Budd, George Gordon, J. N. Kochersperger, John M. Riley, and their associates, who may become stockholders in the company hereby incorporated, be and they are hereby constituted a body politic and corporate, by the name, style and title of the United States Travelers' insurance company, to be located in the city of Philadelphia, for the purpose of making and effecting insurance upon risks against personal injury, or death by accident, as hereinafter provided, for which purposes all necessary and incidental powers are hereby granted to said company, including the power to establish and maintain branch offices and agencies, wherever it may be deemed expedient, for all the objects and business of the said company.

Style.

Purposes of.

Capital stock.

SECTION 2. That the capital stock of said company shall consist of two thousand shares, of fifty dollars each, with the privilege of increasing the same, from time to time as required, to five thousand shares.

Organization, subscription to stock, &amp;c.

SECTION 3. That the parties hereinbefore named, or the majority of them, may proceed to organize said company, and obtain subscriptions to the capital stock thereof; and after one thousand shares shall have been subscribed, and at least five per cent. paid in on said subscriptions, they shall provide by advertisements, at least twice a week, for two weeks, in one or more newspapers published in said city, for the election of a board of nine directors, including in said number, a president, vice president and secretary, who shall be members of said board *ex-officio*, as hereinafter provided, a majority of whom shall be residents of this state; any five of said nine directors, who may be present at any meeting of said board, shall constitute a quorum, and may transact all the business, and exercise all the corporate powers of said company.

Election of directors.

Quorum.

Contracts, relative to.

SECTION 4. All contracts that shall be made under the signatures of the president and secretary, or under the signatures of the vice president and secretary, or otherwise, as may be directed in the by-laws of said company, shall be legal and binding, and valid in law, with or without the corporate seal; the directors of said company shall be elected for three years, and shall be subject to rotation by lot, so as to renew the said board by one-

third every year; any out going director may, however, be re-elected for a new term, and all directors shall remain in office until others are elected in their place.

SECTION 5. That in all general meetings of the stockholders, Votes. each share shall entitle the holder to one vote, and any stockholder of this company may attend in person or by proxy, if represented by another stockholder of this company; in case it should happen that an election of other directors shall not be made on the day appointed, the said corporation shall not for that cause be dissolved, but such election may be held at any future day, which may be appointed by the existing board of directors.

SECTION 6. That it shall be lawful for the directors of said company to call in and demand from the stockholders, severally and respectively, all sums of money by them subscribed, at such times, and in such payments or instalments as the directors may deem proper; and said corporation may sue for, and recover all such sums as may from time to time, or at any time, be due on said subscriptions, with interest from the day of default of payment thereof; and if payment shall not be made by any stockholder or stockholders within sixty days after personal demand, or after notice requiring such payment shall have been published at least once in each week, for four successive weeks, in one or more newspapers published in the city of Philadelphia, the board of directors may declare the said share or shares of stock, so subscribed by such stockholder or stockholders, forfeited, and the same shall thereby be forfeited to said company, Subscriptions, payment and collection of. together with all previous partial payments thereon. Forfeiture of stock.

SECTION 7. That said company is hereby expressly empowered to insure all persons against any accidental injury to life, health or body, and such insurance may be made for one or more persons jointly or severally, and for the benefit of one or more persons jointly or severally; and such insurance may also be made, so that it shall not be liable to the claims of the creditors of the persons insured, and so that the same shall enure and be applicable exclusively to the sole use of the person or persons effecting said insurance, or for whose benefit the same shall be effected, or of their direct family or kindred. Powers, relative to insurances.

SECTION 8. That the directors of said corporation shall select out of their number, a president, vice president and secretary, to act as the chief executive officers of said company, and also as chairman, vice chairman and secretary of the board of directors, and the term of office of said officers shall be three years, Chief executive officers. not subject to the rule of rotation, and unless at the expiration of such term, others shall have been elected to fill their places, they shall continue in office from year to year, until a re-election shall have taken place; all other officers, clerks and agents of said company, shall be appointed at and during the pleasure of the board of directors; the board of directors of said company shall have power to make, alter and amend such by-laws and regulations, not inconsistent with this charter or the laws of this state, as may be deemed expedient for the government of its officers and the conduct of its affairs. Terms. Clerks, agents, &c., appointment of.



Reserve fund,  
purposes of.

SECTION 9. That said company shall appropriate one-third of its annual profits to establish and maintain a special reserve fund, for the following purposes, viz :

1st. For the discharge of all losses, exceeding the ordinary available receipts of said company.

2d. By the annual balances of said reserve fund, and the interest accruing thereon, to pay for so much of the stock of said company, as shall have been subscribed for but not called in, which stock, when so wholly provided for, shall be converted into capital stock ; and thereupon the whole subscribed capital stock of the said company be declared paid in full, and certificates, to that effect, shall be delivered to the stockholders.

3d. Whenever the whole capital stock of the said company subscribed for, shall have been paid for in full, said company may reduce the annual appropriation to said reserve fund, to not less than one-tenth part of its annual net profits, until the said fund amounts in all to twenty-five thousand dollars, at which amount said special reserve fund shall be maintained from year to year ; and all annual net profits over said amount, may be paid, *pro rata*, as additional dividends to the stockholders.

Prohibited from  
making certain  
contracts or  
agreements.

SECTION 10. That said company is hereby expressly prohibited, under penalty of forfeiture of its charter, from entering into any contract or agreement with any railroad, steamer or steamboat company, or the officers or the employees thereof, for the purpose or object of exonerating or relieving such railroad, steamer or steamboat company, in full or in part from any legal responsibility for which said companies, their officers or employees, may be liable in case of accident or disaster.

Subject to cer-  
tain general laws

SECTION 11. That the general laws of this state relating to frauds, forgeries, thefts and illegal transfers of tickets issued by railroad and steamboat companies, shall apply to the tickets and policies issued by said company, and said company shall be subject to the general laws of this state, in relation to moneyed corporations, both as to its powers, privileges and franchises, and as to all general regulations, restrictions and obligations, so far as the same shall be applicable, and not conflicting with this act; and upon a dissolution of said company at any period, the liquidation of its affairs shall be subject to the general laws of this state then existing, relating to the liquidation of moneyed corporations or their dissolution.

Claims and de-  
mands against  
the company,  
relative to.

SECTION 12. That all claims and demands against said company by its stockholders or by the assured, if not admitted by said company, shall, at the option of the claimant, be forthwith referred to the decision of two arbitrators, one of whom shall be named in writing by the claimant, and the other by the company, or upon the neglect of the company to name its arbitrator, within ten days after the claimant shall, by written notice, personally served upon its president, have named his arbitrator, then the claimant shall have power to name an arbitrator also for the company, and the arbitrator so appointed, shall in case of disagreement, have power to select an umpire, and their award thereupon made, shall be final and conclusive.

Bonus.

SECTION 13. That the said company shall pay into the treasury of the commonwealth, a bonus of one half of one per cen-



tum on the capital stock of said company, and upon any increase thereof, payable in four equal annual instalments, the first payment to be made in one year from the date hereof.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 598.

## AN ACT

Erecting parts of Clinton, Elk, M'Kean and Potter counties into a county, to be called Cameron.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all that part of the counties of Clinton, Elk, M'Kean and Potter, lying and being within the following boundaries, to wit: Beginning at the south-east corner of warrant number four thousand one hundred and fifty-six, in Grove township, Clinton county; thence north on warrant lines to the north line of Clinton county; thence west along the said north line of Clinton county to the west bank of the Sinnemahoning creek, on warrant number four thousand nine hundred and thirty-eight; thence in a north-westerly direction to the north-east corner of Shippen township, in M'Kean county; thence west to the north-west corner of Shippen township, M'Kean county; thence southerly along the western boundary of said Shippen township to the north-west corner of Benezet township, Elk county; thence east along the northern boundary of Benezet township to the north-east corner of the same; thence southerly along the dividing line between Benezet and Gibson townships to the county line of Clearfield; thence easterly along said county line to the south-east corner of Gibson township; thence in a north-easterly direction to the place of beginning; containing about four hundred and eighty square miles, shall be and the same is hereby erected into a new county to be called Cameron, on the conditions hereinafter expressed, and subject to the provisions of article twelfth of the last amendments to the constitution; and that B. W. Morrison, J. B. Johnson and Joseph S. Hyde are hereby appointed commissioners, whose duty it shall be, after having first been duly sworn or affirmed, before any justice of the peace of the county of

Boundaries of  
Cameron county.

Commissioners.

Duties.

M'Kean, to discharge their duties with fidelity, to run, correctly ascertain and mark, or cause to be run, correctly ascertained and marked, the boundary line of said county of Cameron; and that the said commissioners, or a majority of them, having run, ascertained and marked the boundary lines aforesaid, or caused the same to be done, shall, on or before the first day of August next, by a written report, under the hands and seals of them, or a majority of them, make out a correct plot or draft of the said county of Cameron, together with the number of square miles within said boundaries, and the number of inhabitants according to the census of one thousand eight hundred and fifty, cut off the counties of Clinton, Elk, M'Kean and Potter counties, and shall transmit the said report and draft to the secretary of the commonwealth, and shall, also, make out and deliver a like report and draft to the commissioners of said county of Cameron, when the same shall have been elected; and the said boundary commissioners shall receive three dollars per day, together with their reasonable expenses in performing the duties hereby enjoined upon them; and for the purpose of enabling said commissioners to fulfil said duties, they are hereby authorized to employ two chain carriers and one axe-man, at a per diem of two dollars each, which, together with the pay of said commissioners, shall be paid out of the funds of Cameron county, by warrants drawn by the commissioners of said county on the treasurer thereof; and if the report of said commissioners shall show that the said county of Cameron will be found in accordance with the aforesaid article of the constitution, then this act shall take effect, upon the conditions and in manner hereinafter provided, otherwise it shall be null and void.

Courts, offices,  
rights, privi-  
leges, &c.

SECTION 2. That the inhabitants of the said county of Cameron, from and after the second Tuesday of October, in the year of our Lord one thousand eight hundred and sixty, shall be entitled to, and at all times thereafter have all and singular the courts, jurisdictions, offices, rights and privileges to which the inhabitants of other counties of this state are entitled by the constitution and laws of this commonwealth.

Where courts to  
be held until  
court house erected.

SECTION 3. That the several courts in and for the said county of Cameron shall be opened and held at such house as may be designated by the commissioners of said county, to be elected at the general election in one thousand eight hundred and sixty, until a court house shall be erected in and for said county, as is hereinafter directed, and shall be then held at the said court house.

Proceedings in  
pending suits  
regulated.

SECTION 4. That all suits and cases which shall be pending and undetermined in the several courts of Clinton, Elk, M'Kean and Potter counties, on the second Tuesday of October, one thousand eight hundred and sixty, wherein the defendants shall at that time be resident in the said county of Cameron, shall be transferred, with all things pertaining thereto, to the proper courts of said county, to be proceeded on in like manner as if the same had been originally commenced in said courts, except that the fees on the same, due to the officers of Clinton, Elk, M'Kean and Potter counties, shall be paid to them by the officers of Cameron county; and the prothonotaries of Clinton, M'Kean, Elk and Potter counties shall, on or before the first day of De-

ember, one thousand eight hundred and sixty, purchase docketts and copy therein all the docket entries, respecting the said suits and causes, which shall be transferred as aforesaid, and on or before the first day of January, one thousand eight hundred and sixty-one, have the said docketts, together with the records, declarations and other papers respecting the said suits and cases, ready to be delivered to the proper officers of the county of Cameron, the expenses thereof to be paid by said county.

SECTION 5. That all the taxes and arrears of taxes laid or which become due within the said county of Cameron before the passage of this act, and all sums of money due to this commonwealth for militia fines in said county of Cameron, shall be collected and recovered as if this act had not been passed: *Pro-*

Taxes and arrears of taxes, how collected and recovered.

*vided always*, That the moneys arising from county taxes, assessed or to be assessed within the limits of the county of Cameron, subsequently to the first of November, one thousand eight hundred and sixty, shall from time to time, as the same may be collected or be paid into the treasury of the counties of Clinton, Elk, M'Kean and Potter, for the use and benefit of the county of Cameron, until a treasurer shall be elected and qualified in the county of Cameron; and the treasurers of the counties of Clinton, Elk, M'Kean and Potter shall keep account thereof and pay the same to the treasurer of the county of Cameron, as soon as he shall have been elected and qualified; and whatever part of said taxes may be assessed after the first day of November, one thousand eight hundred and sixty, may remain uncollected in the county of Cameron, at the time of the election and qualification of the treasurer thereof, the same shall be collected in the usual manner, and paid into the treasury of the said county of Cameron.

Proviso.

SECTION 6. That the treasurer, sheriff, prothonotary, and all such officers as are by law required to give security for the faithful discharge of the duties of their respective offices, who shall hereafter be appointed or elected in the said county of Cameron, before they or any of them shall enter on the execution thereof, shall give sufficient security in the same manner and form, and for the same uses, trusts and purposes as such officers, for the time being, are obliged by law to give in the county of Elk.

Certain officers to be qualified in the same manner as in the county of Elk.

SECTION 7. That the sheriff, coroner, and other officers of the counties of Clinton, Elk, M'Kean and Potter, shall continue to exercise the duties of their respective offices as heretofore, within that part of Cameron county which, before the passing of this act, was within the counties of Clinton, Elk, M'Kean and Potter, until similar officers shall be elected and qualified, agreeably to law, within the county of Cameron; and the persons who shall be elected and qualified associate judges of the county of Cameron, shall take and subscribe the requisite oaths and affirmations of office, before the prothonotary of the court of common pleas of the county of Elk, who shall file a record of the same in the office of the prothonotary of the court of common pleas of the county of Cameron, who may be elected and qualified at any time after the passing of this act.

Certain officers of Clinton, Elk, M'Kean and Potter counties to continue duties, &c.

SECTION 8. That the inhabitants of the county of Cameron shall elect members of Congress, senators and members of the

To elect members of congress, &c., as heretofore.

Court house, jail and offices, relative to.

Subscriptions and donations, relative to.

Annexed to the Eastern district of the supreme court.

To compose part of the fourth judicial district.

Proceedings of courts regulated.

Use of jail of Clinton county.

Proviso.

House of Representatives, in the same manner as if this act had not passed ; and it shall be lawful for the commissioners of the county of Cameron, who shall be chosen at the general election in one thousand eight hundred and sixty, to take assurances to them and their successors in office, of such lot or lots of ground as may have been designated by three commissioners, who shall be chosen by the governor upon the passage of this act, for the purpose of locating the county seat, for erecting thereon a court house, jail, and offices for the safe keeping of the records ; and the county commissioners are hereby authorized to receive, by subscriptions or donations, money and materials towards defraying the expenses of said lot and buildings, and hereby are authorized to assess, levy and collect a sufficient sum to defray the expenses thereof, and for building a court house and prison, or so much as shall be needful to supply deficiencies, in case there shall not be a sufficiency given and subscribed, as aforesaid ; which court house and prison they are authorized to erect.

SECTION 9. That the judges of the supreme court shall have like powers, jurisdiction and authorities, within the said county of Cameron, as by law they are vested with, and entitled to have and exercise in other counties of this state ; and the said county is hereby annexed to the Eastern district of the supreme court.

SECTION 10. That the county of Cameron shall be annexed to and compose part of the fourth judicial district of this commonwealth ; and the courts in said county of Cameron shall be held on the Monday next succeeding after the courts are held in Elk county, to continue one week at each term, if necessary ; the first court to be held on the second Monday of January, one thousand eight hundred and sixty-one.

SECTION 11. That the certioraries directed to, and appeals from the judgment of, any justice of the peace of the said county of Cameron, and all criminal prosecutions which may originate in said county before the test day hereinafter mentioned, shall be proceeded in as heretofore in the courts of common pleas and quarter sessions of the county of Elk ; and all process to issue from the courts of the said county of Cameron, returnable to the first term in said county, shall bear test on the last Monday of December, one thousand eight hundred and sixty.

SECTION 12. That in all cases where it would be lawful for the sheriff, jailor or prison-keeper of the county of Cameron to hold in close custody the body of any person in the common jail of the said county, if such jail were at this time erected in and for the said county, such person shall be delivered to and kept in close custody by the sheriff, jailor or prison-keeper of the county of Clinton, who, upon delivery of such prisoners to him or them, at the common jail in said county of Clinton, shall safely keep him, her or them until they be discharged by the due course of law, and shall also be answerable in like manner, and liable to the same penalties and pains as if the persons so delivered were liable to confinement in the common jail of Clinton ; and the parties aggrieved shall be entitled to the same remedies against them, or any of them, as if such prisoner had been committed to his or their custody by virtue of legal process issued by proper authority of the said county of Clinton : *Provided always,*

That the sheriff of Cameron county be allowed, out of the stock of said county, ten cents per mile as full compensation for every person charged with a criminal offence who he may deliver at the Clinton jail by virtue of this act, by orders drawn by the commissioners of Cameron county on the treasurer thereof.

SECTION 13. That the sheriff, jailor or prison-keeper of Clinton shall receive all prisoners as aforesaid, and shall provide for them according to law, and shall be entitled to the fees for keeping them, and also for such allowance as is directed by law for the maintenance of prisoners in similar cases; which allowance shall be defrayed and paid by the commissioners of the county of Cameron, out of the county stock.

Prison-keeper of Clinton county to receive prisoners, entitled to fees, &c.

SECTION 14. That the twelfth and thirteenth sections of this act shall be and continue in force for the term of four years, or until the commissioners of Cameron county shall have certified to the court that a jail is erected and ready for the reception of prisoners, and approved of by the court and grand jury, who shall enter approbation, signed by them, on the record of said county; and from thenceforth it shall be lawful for the sheriff of Cameron county to receive all and every person or persons who may then be confined in the county jail of Clinton county, in pursuance of this act, and convey them to the jail of Cameron county, and to keep them in close custody until they be discharged by due course of law.

How long certain sections of act to be continued in force.

SECTION 15. That the general laws of this commonwealth be and the same are hereby extended to the county of Cameron, subject to the provisions of this act: *Provided*, That the said new county of Cameron hereby obligates itself, from and after the passage of this act, to pay to the said counties of Clinton, Elk, M'Kean and Potter that portion of their public debt as shall be represented by the territory hereby stricken off and annexed to the said county of Cameron; that the governor of the commonwealth of Pennsylvania be and he is hereby authorized to appoint three commissioners, to fix and establish the county seat for the said county of Cameron.

Certain general laws extended to. Proviso.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.



No. 599.

## A N A C T

Authorizing Wood, Morrell and Company to construct a Lateral Railroad from the Cambria Iron Works across the Conemaugh river, to connect with the Pennsylvania Railroad at a point most convenient to said Iron Works.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Wood, Morrell and Company, of Johnstown, Cambria county, shall have the privilege, and they are hereby authorized to form a connection with the Pennsylvania railroad, on the south-west side of the Conemaugh river, by the construction of a lateral railroad from the Cambria iron works, near Johnstown, across said river, to such point on the Pennsylvania railroad as may be most convenient.

Power to construct lateral railroad.

Location.

Bridge across the Conemaugh river, relative to.

SECTION 2. The bridge erected across the Conemaugh river by said Wood, Morrell and Company, in forming a connection with the Pennsylvania railroad, shall be used exclusively as a railroad bridge by said Wood, Morrell and Company, and their assigns; and in the erection and construction of such railroad bridge, said Wood, Morrell and Company shall have the privilege of connecting the abutments and piers with the abutments and piers of the Cambria bridge company, should they, the said Wood, Morrell and Company, deem it expedient.

Damages, how assessed and compensated.

SECTION 3. The damages (if any) done in consequence of the construction of the lateral railroad hereby authorized, shall be assessed and compensated in the way and manner provided for in the ninth section of the act of assembly of this commonwealth, passed the twenty-sixth day of January, one thousand eight hundred and forty-nine, entitled "An Act regulating turnpike and plank road companies."

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.



No. 600.

## A N A C T

To incorporate the North Second Street Market Company, of the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That George W. Tryon, Alfred Wiltberger, Thomas J. Potts, Andrew Wurfflein, William Gregg, M. D., James Lynd, John C. Davis, Richard M. Kirkbride, Edgar E. Petit, F. W. Grayson, Samuel F. Groinner, Amos S. Worthington, Charles W. Biles, Charles Blaker, David Cummings, William T. Leader, George W. Jones, J. Washington Miller, John Jordan, junior, Henry Stout, Edwin Satterthwaite, Joseph Hemphill, Alfred Marple and Samuel Bell, junior, and their associates, who may become stockholders in the company hereby incorporated, be and they are hereby constituted a body politic and corporate, by the name, style and title of the North Second Street market company of the city of Philadelphia; and as such shall have power to purchase and hold real estate, and to erect thereon buildings and improvements properly constructed and adapted for a market house: *Provided,* That such real estate shall be purchased, and such market house erected on the square of ground bounded by Vine street on the north and Race street on the south, between Second and Third streets, in the said city.

Corporators.

Style.

Powers.

Proviso.

SECTION 2. That the capital stock of said company shall consist of five thousand shares of fifty dollars each, with the privilege of increasing the same to six thousand shares.

Capital stock.

SECTION 3. That the said company shall have power, and it is hereby authorized, to borrow any sum or sums of money, not exceeding one hundred and fifty thousand dollars, for the purpose of said corporation; and in order to secure the payment of the same, shall issue their bonds therefor, of not less than five hundred dollars each, bearing interest at seven per cent. per annum, payable semi-annually, with coupon certificates attached, to be secured by mortgage of all or any part of the said real estate, together with the corporate rights and franchises granted by this act, and to annex to the said mortgage the privilege of converting the same into the capital stock of the said company, at par, at the option of the holders.

May borrow money and issue bonds.

SECTION 4. That the parties hereinbefore named, or a majority of them, may proceed to organize said company, and obtain subscriptions to the capital stock thereof; and after fifteen hundred shares shall have been subscribed, by not less than one hundred persons, and at least five per centum paid in on said subscriptions, they shall provide, by advertisements, at least twice a week for two weeks, in two or more newspapers published in said city, for the election of a board of seven directors, who shall serve until the first Monday of October next, and until

Organization &amp;c.

Election of directors.

their successors shall be duly elected; and annually thereafter, upon the first Monday of October, the stockholders shall elect a similar board of directors, to serve in like manner for one year, and until their successors shall be duly elected; and if for any reason any of said elections shall not be held at the time appointed, another time shall be appointed, according to the by-laws of said company, for said purpose, not more than three months later than said date; and the said directors shall supply all vacancies in their board, by death, resignation or otherwise, until the next annual election; but no person shall be elected a director who shall not be at the time a stockholder in said company.

Vacancies.

Power of directors

SECTION 5. That the said directors shall have power to elect a president, a treasurer, and such other officers, being citizens of Pennsylvania, as may be deemed necessary and expedient; and in every election for directors, each stockholder shall be entitled to one vote for each share of stock; but no stockholder, whether original subscribers or assignees, shall be entitled to vote at any election or meeting of said company, unless the whole sum due and payable on the share or shares by him or her held at that time, shall have been fully paid and discharged.

Votes.

Seal.

By-laws.

SECTION 6. That the said company shall have power to make and have a common seal, the same to alter and renew at pleasure; and also to establish and execute such by-laws and regulations as shall appear to be necessary and convenient for the government of said corporation, not being contrary to the constitution and laws of the United States or of this state; and generally to do and perform all and singular the matters and things which to them it shall lawfully appertain to do for the well being of said corporation, and the proper management of the affairs thereof: *Provided*, They shall not, by any rule or regulation, prevent the farmers who rent stalls in said market house from disposing of the produce of their farms in such quantities and upon such terms as said farmers may think proper; and the farmers of the state of Pennsylvania shall enjoy all the rights and privileges in said market house that may be granted to the citizens of Philadelphia or elsewhere: *Provided further*, That said company, before the renting of any stalls in said market house, and yearly thereafter, before said renting, shall, by ten or more printed handbills, put up in the most conspicuous places in said market house, ten days before the time of renting, give notice of the time when said stalls will be rented; which said renting shall take place in said market house: *And provided further*, That upon application being made at the time of letting said stalls, the farmers of the state of Pennsylvania shall be entitled to rent fifty per cent. of the stalls in said market: *Provided further*, That no farmer shall be entitled to rent more than three stalls in said market, unless all the stalls shall not be applied for at the time of letting.

Proviso.

Proviso.

Proviso.

Proviso.

Dividends.

When and where paid.

SECTION 7. That dividends of so much of the profits of said company as shall appear advisable to the directors, shall be declared in the months of January and July, of each and every year, and to be paid at the office of said company at any time after ten days from the time of declaring the same; but said dividends shall in no case exceed the amount of the net profits

of said company, so that the capital stock thereof shall not be impaired thereby; and if said directors shall make any dividend impairing the capital stock of said company, the directors consenting thereto shall be liable, in their individual capacities, to said company for the excess so divided; and each director present when such dividend shall be declared, shall be considered as consenting thereto, unless he or they enter their protest upon the minutes of the board, and give public notice of the same.

Individual liability.

SECTION 8. The said company shall have power, and is hereby authorized to issue certificates of stock, at par, in liquidation of the whole or any part of the mortgage debts on the estate or property of said company: *Provided*, That such issue of stock, together with the original shares taken and subscribed, from time to time, by the stockholders, shall at no time, and in no event, exceed the six thousand shares authorized under the second section of this act of incorporation.

May issue certificates of stock.

Proviso.

SECTION 9. *Provided*, That the privileges hereby granted shall continue for the period of twenty years, and no longer, unless extended or renewed by the legislature.

Limitation.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-fourth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 601.

## A N A C T

To incorporate the Farmers' Hotel Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* John C. Davis, Thomas H. Speakman, Owen B. Evans, Charles Thompson and William H. Vodges, of the city of Philadelphia; James Andrews, William Eyre, junior, J. Morgan Baker, John G. Dyer and Y. S. Walter, of Delaware county; Joseph P. Tucker, Nathan A. Pennypacker, Enos Smedley, Isaac W. Vanleer and Reuben E. Lewis, of Chester county; John B. Adams, Joshua Ashbridge, Owen Jones, Jacob Stadelman and Josiah Bunting, of Montgomery county, and their associates, and all other persons who may become holders of the stock hereinafter mentioned, be and they are hereby constituted a body politic

Corporators.

Style.	and corporate, by the name, style and title of the Farmers' hotel company, to have perpetual succession, to be capable of suing
Seal.	and being sued by their corporate name, to have a common seal and the same to alter and renew at pleasure, and to have, hold, receive, enjoy and take, either by absolute conveyance, in fee simple, or upon ground rent, and, in case of a purchase, upon
Powers.	ground rent, with power to execute the necessary covenant for the securing the payment thereof, such real estate as may be necessary and convenient for the construction of a hotel, in the city of Philadelphia, with such supplementary buildings as may be adapted to and form part of the general plan and design thereof, for the accommodation and use of any person or persons, who may be desirous of renting and occupying the same; and the said real estate, or any part thereof, when in the opinion of the said corporation it may be proper so to do, to sell and convey to any person or persons, who may be desirous of purchasing the same: <i>Provided however</i> , That if the said company, or their lessees, with their knowledge, shall knowingly permit any intoxication or gambling in their said house, the privileges hereby granted shall cease; and the said company shall not themselves engage in the business of hotel keeping.
Proviso.	
Capital stock.	SECTION 2. That the capital stock of said corporation shall be forty thousand dollars, with the privilege of increasing the same to one hundred thousand dollars, and be divided into shares of fifty dollars each; and said capital stock shall be held as personal property, and be insured and transferred under such regulations as the board of managers may determine.
Government and control.	SECTION 3. That the government and control of the said company, and the management of its property, shall be vested in, and the corporate powers of the said company shall be exercised by a board of nine managers, who shall be elected by ballot, from among the stockholders, and continue in office until their successors are elected; they shall elect a president from among themselves, and shall also elect a secretary and treasurer, and supply all vacancies in their number, however occasioned, and shall have general and entire control of the affairs and interests of the company; and until other officers be duly elected, the persons named in the first section of this act shall be held to be managers of the said corporation, and shall have full power and authority as such.
Annual election for managers.	SECTION 4. That a general meeting of the stockholders shall be held, annually, on the third Saturday of January, for the election of nine managers and the transaction of other business; but if such meeting or election shall not then take place, the corporation shall not for that cause be dissolved, but such meeting, or election, shall take place as soon thereafter as may be, one week's public notice of such meeting being first given, in one newspaper in the city of Philadelphia, and in each of the counties of Delaware, Chester and Montgomery, and special meetings of the stockholders may be called and held as may be provided by the by-laws or by resolution of the board of managers; and in the enactment of by-laws for the government of the corporation and its officers, and in the election of officers and the decision of all questions, at all the meetings of the corporation, the stockholders present, either in person or by proxy, shall
Notice of to be published.	

severally be entitled to one vote for each share of stock held by them. Votes.

SECTION 5. That the said company shall have power to borrow money to an amount not exceeding one-half its capital stock, and to issue bonds therefor for such amount, and payable at such time or times, and at such rate of interest, not exceeding eight per centum per annum, and to sell the same at such rate of discount as the board of managers may determine; and it shall be lawful for the board of managers of said company to secure the payment of said bonds by a mortgage or mortgages, executed in due form, in the corporate name of the said company and under its corporate seal, to trustees to be named therein, on the lot or lots of ground, and hotel, and other buildings erected or to be erected thereon, franchises, and all property, real or personal, of the said company, and the revenues, rents, issues and profits thereof, as they may deem best. May borrow money, issue bonds, &c.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-fourth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 602.

## AN ACT

To incorporate the Commercial Guarantee Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That William H. Kern, Peter C. Ellmaker, Price J. Patton, John G. Kershaw, John R. Jennings, Elihu E. Smith, Richard G. Stotesberry, Robert N. Jeffries and John Hill Martin shall be and they are hereby created and constituted a body politic and corporate, under the name, style and title of "The Commercial Guarantee company," for the purpose hereinafter mentioned; that is to say, they, or a majority of them, are hereby authorized to receive subscriptions from all persons duly qualified and desirous of taking stock in the company incorporated by this act, and the form of such subscriptions shall be as follows, viz: We whose names are hereunto subscribed, do severally promise to pay to the Commercial Guarantee company, the sum of fifty dollars for each and every share of stock set opposite to our respective names, at such times and in such instalments as the directors of Corporators.  
Style.  
Purposes.  
Form of subscription



the said company may require. And the said persons, at the time of subscribing, shall pay to the said company an instalment of five dollars on each share of stock by them respectively subscribed.

- Powers.** SECTION 2. That the aforesaid persons, and those who may become associated with them, and their successors, shall be known and styled "The Commercial Guarantee company," and by the same name have perpetual succession; and shall be able to sue and be sued, plead and be impleaded, in all courts of record or elsewhere; and to make and to have a common seal, and the same to break, alter and renew at pleasure; and also to ordain, establish and put in execution such by-laws, ordinances and regulations as shall appear necessary and convenient for the government of said corporation, not being contrary to the constitution or the laws of the United States, or of this commonwealth, and generally to do all and singular the matters which to them it shall lawfully appertain to do for the well being of the said corporation, and the due management and ordering of the affairs thereof.
- Seal.**
- Capital stock.** SECTION 3. That the capital stock of said corporation shall consist of five thousand shares of fifty dollars each, subscribed for as aforesaid, to be paid in such instalments as the board of directors of said company may determine; which said capital may at any time hereafter be increased by them, not exceeding ten thousand shares of fifty dollars each; and if any subscriber, his or her assignee or transferee, shall refuse to pay the first or any subsequent instalment, called for and demanded by the directors as aforesaid, such subscriber, his or her assignee or transferee, shall forfeit each and every share on which the payment shall not be duly made, and all payments made on account of the share or shares so forfeited; and new subscriptions may be opened and received for the share or shares so forfeited, at the discretion of the board.
- Refusal to pay instalments, relative to.**
- Management.** SECTION 4. That the affairs of said company shall be managed by twelve directors, stockholders of the said corporation, who shall be elected annually, on the first Monday of January, of each and every year, between the hours of ten, A. M., and two, P. M.; and the directors so elected shall appoint a president and vice president of the company, and such other officers and agents as they may deem necessary for conducting the business of said corporation, who shall perform the duties of their respective offices until they shall be re-elected, removed from office, or their successors shall be chosen; the directors shall allow the persons so appointed such compensation for their services, respectively, as they shall deem reasonable, and generally to exercise all other powers and authorities for the well governing and ordering of the affairs and funds of the said corporation as this act confers or allows, or as hereafter may be conferred or allowed by the laws, regulations and ordinances of the said corporation; in case of death or resignation of any director, the remaining directors shall elect a member of the corporation to fill such vacancy.
- Directors, when to be elected.**
- Officers.**
- Compensation.**
- Elections, relative to.** SECTION 5. That at all elections for directors the vote of stockholders shall be by ballot, each share of stock having one vote; but no number of shares above fifty shall give any right to any



additional votes, nor shall any stockholder be entitled to vote unless the share or shares held by him or her shall have been standing in his or her name, on the books of the said corporation, for three months previous to said election: *Provided*, That every stockholder, at the time of the first election of directors, shall have and enjoy the privilege of voting as aforesaid; and the first election of directors shall be held within ninety days from and after the passage of this act; and the directors chosen at said election shall hold their offices until the first annual election thereafter, as herein provided for, and until new directors shall be chosen.

Votes.

Proviso.

SECTION 6. That the Commercial Guarantee company shall be empowered to guarantee the payment of promissory notes, acceptances, bills of exchange, or any other kind of obligation or debt, for such rates of premium as may be agreed upon between the parties, and to accept, receive and hold all and any collateral or other securities therefor, and to execute such agreements, policies and other instruments of writing as shall or may be necessary to effect that purpose, and to collect such debts.

The kind of evidences of debt or securities that may be guaranteed.

SECTION 7. That for the purpose of securing the payment of any obligation or debt guaranteed by the company, and which may not be paid at maturity, the said Commercial Guarantee company may purchase, receive and hold any real or personal property, and may sell, assign and convey the same in fee or otherwise: *Provided*, That the aggregate amount of real estate so held, including such as may be necessary for the accommodation of the said corporation in the transaction of its business, shall not at any time exceed in value one-fourth of the capital stock subscribed.

Real estate.

Proviso.

SECTION 8. That the shares of stock of the said corporation shall be assignable and transferable only on the books of the corporation, according to such rules and regulations as the directors shall make and establish for that purpose, and not otherwise.

Transfer or assignment of stock

SECTION 9. That the directors shall, on the first Monday in January, in each and every year, declare a dividend of so much of the profits of the corporation as to them shall appear advisable; and the dividends so declared shall be paid to the respective proprietors, agreeably to such rules and regulations as the directors shall make for that purpose; but the moneys received as premiums on risks, which shall be undetermined at the time of making such dividends, shall not be considered as a part of the profits of the corporation; and in case of any loss or losses, whereby the capital stock of the company shall be lessened, no subsequent dividend shall be made until a sum equal to such diminution shall have been added to the capital.

Dividends.

SECTION 10. That after said corporation shall have declared a dividend of eight per centum on the whole amount of its capital stock, it shall pay into the treasury of the state ten per centum of such surplus profits of said corporation as shall either be declared by dividend or remain in said corporation undivided.

Per cent. to the state.

SECTION 11. That the said company shall pay into the treasury of the commonwealth a bonus of one-half of one per centum on the capital stock of said company, and upon any increase thereof, payable in four equal annual instalments, the first pay-

Bonus.

ment to be made in one year from the date hereof; and the said corporation shall also pay such taxes upon dividends as are or may be provided by law.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 603.

## AN ACT

To incorporate the Southern Mutual Fire Insurance Company of York county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Peter Raab, Jacob Kohler, Henry Seichrist, Jonathan Neff, Benjamin Tyson, John Peeling, Peter Feigley, David Herbst, junior, Adam Nes, Andrew Meyers, John S. Keech, Henry Grove and Jacob Hovis, of the county of York, are hereby appointed commissioners, who, or a majority of them, are authorized and empowered, from and after the passage of this act, to establish an insurance company by the name of the Southern mutual fire insurance company of York county, to be located in said county, and limited in its operations to the townships of York, Spring Garden, Windsor, Hopewell, Springfield and Chanceford; which said company shall be organized and managed according to the provisions of an act to provide for the incorporation of insurance companies, approved the second day of April, Anno Domini one thousand eight hundred and fifty-six, and shall be limited to the ricks designated in the first class in the seventh section of said act, and shall transact its business upon the mutual principle.*

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-sixth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 604.

## A SUPPLEMENT

To the act for the Sale of the State Canals, approved the twenty-first day of April, Anno Domini one thousand eight hundred and fifty-eight.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the sixth section of the act for the sale of the state canals, approved the twenty-first day of April, Anno Domini one thousand eight hundred and fifty-eight, as requires the attorney general to sue out the mortgage, to the commonwealth, of the Sunbury and Erie railroad company, on the road of said company, and the mortgage or mortgages on the canals, sold under the provisions of said act, which may remain uncanceled, if payment shall fail to be made of any principal or interest on the bonds of said company to the commonwealth, ninety days after the same shall fall due, be and the same is hereby suspended, and no proceedings shall be instituted, by virtue thereof, until the first of May, one thousand eight hundred and sixty-one: *Provided,* That if any judicial sale of the said Sunbury and Erie railroad shall or may hereafter be made, the amount due contractors, on that part of said road between Williamsport and Erie, for work and labor actually done and materials furnished, between the first day of August, one thousand eight hundred and fifty-nine, and the first day of April, one thousand eight hundred and sixty, shall be preferred to the mortgage held by the commonwealth: *Provided,* The amount so preferred shall not exceed the sum of six hundred thousand dollars; and no suits, proceedings or process of any kind whatsoever, shall be instituted, either in law or equity, against said railroad company, upon any of the said preferred claims, or upon any bonds or claims which may hereafter be made or given out, or have heretofore been made or given out by the said company, until after the first day of May, one thousand eight hundred and sixty-one; and that on or before the first day of February, one thousand eight hundred and sixty-one, the said Sunbury and Erie railroad company shall furnish an account to the auditor general of the commonwealth, setting forth the amount of such preferred claims, the nature of the work and labor done, and materials furnished, and the names of the contractors, designating the amount due and that has been paid to each contractor.

SECTION 2. That the president and managers of the Sunbury and Erie railroad company be and they are hereby authorized to make and enter into any contract or contracts with the managers, or president and directors, of any other railroad company or companies, in this commonwealth, having relation to the completion, the working of, or to the traffic originating on, or passing over, or to and from the Sunbury and Erie railroad, which may be considered just and reasonable by the contracting

Certain act suspended.

Proviso.

Proviso.

May enter into certain contract with other railroad company or companies.

Proviso.

parties: *Provided*, That the same shall not affect the lien of the mortgage to secure the payment of the five per centum bonds, issued by the said company under the provisions of the act for the sale of the state canals; and such contract or contracts shall be valid and binding upon the said companies, represented by the said contracting parties, as fully as if the same were expressly authorized by their respective charters.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 605.

## A N A C T

Authorizing the Commissioners of the counties of Dauphin and Perry to construct a Road from a point in Watts township, Perry county, to a certain point in the township of Reed, county of Dauphin.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the commissioners of the several counties of Dauphin and Perry are hereby authorized and instructed, immediately after the passage of this act, to lay out and construct a good and substantial road, commencing at a point near where the turnpike bridge crosses the Susquehanna canal, in Watts township, Perry county, and running along towing path of said canal such distance as will enable them to strike the turnpike, in Reed township, Dauphin county, near Duncan's barn, but not to interfere with said towing path, so as to obstruct navigation or otherwise.

Commissioners  
authorized to lay  
out road.

Route.

Expense, how  
paid.

SECTION 2. That the several counties through which this road passes will be entitled to pay for the making of only as much of the same as passes through its own territory.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 606.

## A N A C T

To incorporate the Allegheny Observatory, in Allegheny county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the following named persons, being contributors to a fund for the establishment of an astronomical observatory in the county of Allegheny, to wit: William Wilkins, Curtis G. Hussey, Thomas M. Howe, John H. Shoenberger, William Bagaley, Harvey Childs, James Marshall, Isaac Jones, William Thaw, George W. Cass, James M. Cooper, Matthew Furguson, Washington M'Clintock, John A. Wilson, Charles H. Paulson, Samuel Jones, George B. Jones, George W. Jackson, William S. Bissell, John Dean, William S. Haven, Robert Robb, B. L. Fahnstock, James Park, junior, N. Holmes, R. B. Sterling, Edward Rahm, Lewis Bradley, Josiah King, Henry Irwin, Hopewell Hepburn, F. R. Brunat, Thompson Bell, Robert S. Hays, David Campbell, James O'Hara, David M'Candless, H. L. Bollman, William Walker, Hugh Walker, Robert Dalzell, C. W. Rickertson, Alexander King, James Robinson, C. Yeager, Thomas Bakewell, Benjamin P. Bakewell, James M'Candless, Oliver P. Scaifer, William Morrison, Andrew D. Smith, John S. Cosgrave, Joseph Kirkpatrick, George A. Berry, William F. Johnston, William M'Knight, M. W. Watson, J. M'D. Crossan, L. R. Livingston, J. K. Moorhead, Alexander Speer, Joseph Smith, J. S. Liggett, William Dilworth, junior, A. Garrison, Samuel Gormley, their associates and successors, be and they are hereby created a body politic and corporate, in law, under the name and title of the Allegheny Observatory; and by that name shall have perpetual succession, and be capable in law to have and use a common seal, to sue and be sued, implead and be impleaded, in all courts of law and equity, and to do all such other things as are incident to a corporation.

Contributors and corporators.

Name.

Seal.

SECTION 2. That the said corporation shall have power to ordain, adopt and enforce all such by-laws, rules and regulations, not contrary to the constitution and laws of this state or of the United States, as may be necessary or useful for the proper conduct and government of the officers, servants and affairs of this corporation; it shall also have power, in such times and manner as shall be provided in its by-laws, to add to its membership such persons as shall contribute not less than one hundred dollars to its funds, and to fill vacancies caused by death, removal, resignation or otherwise, so that the number of corporators shall at no time be less than ten.

By-laws.

Membership.

SECTION 3. That the business of this corporation shall be conducted by a board of five managers, of whom three shall be a quorum for transacting business; the managers shall elect one of their number president, and shall also elect a secretary and treasurer, who may be the same person; the managers shall be

Managers.

Officers.



**First managers.** elected at such times and in such manner, and vacancies in their number supplied, as shall be provided in the by-laws: *Provided however,* That until by-laws shall be ordained, and an election held in pursuance thereof, Thomas M. Howe, Curtis G. Hussey, John H. Shoenberger, Josiah King and William Thaw shall act as managers, and possess the same powers, and perform the same duties as if they had been duly elected by the corporators; the managers shall, as often as may be required by the by-laws, make a report of their proceedings, and a statement of the finances and condition of the corporation, to a meeting of the corporators.

**Powers and purposes** SECTION 4. That the said corporation, under the corporate name aforesaid, shall be capable in law of taking, by purchase or otherwise, and of holding, using and enjoying, and of selling and conveying, or otherwise disposing of, any real or personal estate necessary or desirable for the primary and incidental purposes of an astronomical observatory, including, if the same shall be deemed advisable, a school of English and classical literature and science: *Provided,* That the average yearly rental of the estate of said corporation shall not exceed five thousand dollars; and so long as the rental aforesaid shall be applied to the purposes aforesaid, and no part thereof divided or distributed among the corporators for private use, the estate aforesaid shall not be liable to taxation, except for state purposes; and it shall be lawful for this corporation to erect all needful and convenient buildings for the exhibition, preservation and use of a telescope, and other scientific instruments and apparatus, dwelling houses for officers, professors and servants, school house, out houses, to enclose, plant and adorn its grounds, and do all else necessary to the complete carrying out of the objects aforesaid; no street, lane, alley or other highway shall be laid out in, upon or through the grounds of this corporation without its consent.

**Trespassing on grounds, relative to** SECTION 5. That any person who shall wilfully trespass on the grounds of this corporation, or mutilate, deface or damage any building, instrument, apparatus, fence, tree, plant or shrub, or any avenue, walk, door, gate, monument, or other erection or thing belonging to, or in the use of, this corporation, shall, upon conviction thereof before any court or magistrate of competent jurisdiction, be subject to the same penalties as are provided by law for like offences in the case of any of the public cemeteries of this commonwealth.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER,



No. 607.

## A N A C T

Relative to Hucksters in Northumberland and Union counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter no person or persons shall buy or barter for, within the limits of the counties of Northumberland or Union, as a hawker or pedler, any butter, eggs, dried fruit, veal or other article of produce, with the intent to send the same, for sale or barter, to any other market out of the said counties, without first obtaining a licence so to do, and paying therefor to the treasurers of said counties, for the use of said counties, fifty dollars, which licence the treasurers of said counties are hereby authorized and required to grant upon the payment of such sum.

Hawkers and pedlers to take out license.

Amount of license.

SECTION 2. That if any person or persons shall so engage, or be concerned in huckstering, as aforesaid, within the limits of either of said counties, without having first obtained a license, as aforesaid, he or they shall individually forfeit and pay the sum of one hundred dollars, the one-half for the use of the commonwealth, and the other half for the use of the person who shall prosecute for the same; the said penalty to be recovered by action of debt, before any justice of the peace in said counties, as debts of like amount are by law recoverable.

Penalty for huckstering without license.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 608.

## A N A C T

To incorporate the Home for the Moral Reform of Destitute Colored Children.

WHEREAS, A number of women, members of the Religious society of Friends, have established, in Philadelphia, an insti-

Preamble

tution for a home for outcast and destitute colored children, where they may be educated and trained in good habits, and fitted to be placed in situations where they may be useful, and learn an occupation for their support through life ; and to enable said association to place out, as apprentices, such children, it is necessary they should be incorporated, and have power conferred upon them to execute indentures of apprenticeship.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Sarah W. Cope, Deborah M. Williamson, Elizabeth C. Collins, Emma C. Yarnall, Rebecca Embree, Mary S. Jenkins, Caroline R. Yarnall, and their associates, whether married or single, are hereby incorporated as a body politic in law, with perpetual succession, with authority to purchase, hold and convey or mortgage real or personal estate, the annual income whereof shall not exceed five thousand dollars ; and the rents and proceeds to use and apply to the purposes of said institution, and the business thereof to transact, with or without a common seal, under the name and style of the Home for the moral reform of destitute colored children.

SECTION 2. Members shall be admitted into this corporation in such manner and upon such terms as the by-laws may from time to time prescribe.

SECTION 3. The managers of this corporation shall be annually elected from the female members thereof, by the corporators, under such rules and regulations as may be established by the by-laws, which shall prescribe their number and time of election ; and in case of any failure to elect, the managers in office shall continue to act until their places shall be supplied ; and they shall be assisted by the advice of five male members, to be called a board of council, to be in like manner and at the same time chosen.

SECTION 4. The said managers shall appoint and have power to discharge their treasurer, secretary and other officers ; and to take under their care, management and guardianship all colored children under twelve years of age, who may be confided or committed to them by their father, or, if he be deceased or absent, by their mother or guardian, or by the mayor or any alderman of the city of Philadelphia, on account of vagrancy, neglect or abandonment by their parents or parent, or any other person having custody of them ; and while under their charge the said managers shall have all the powers of control over such children, which a guardian or a master of an apprentice may exercise, and, while under their care, shall cause them to be educated and instructed in useful learning and moral and religious habits, until of proper age, to be placed out as apprentices, if they behave themselves well, but if they become unmanageable they may, in their discretion, place them in the house of refuge, in manner according to the regulations of that institution, or return them to their parents or guardians.

SECTION 5. When the said colored children shall arrive at a proper age, and as suitable places can be obtained for them, the said managers shall have power, in the like manner and with the like effect as a father, to bind said children apprentices to useful

Corporators.

Powers.

Style.

Membership.

Managers to be elected from the female members.

Male assistants to be a board of council.

Powers and duties of managers.

Children of proper age to be bound out.

trades and callings, and such apprenticeship may be during their minority, or for a less period, as may be agreed and inserted in the indentures of apprenticeship.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The thirteenth day of January, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 609.

## A N A C T

To incorporate the Pennsylvania Sewing Machine Fund and Loan Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Robert B. Parkinson, Samuel M. Owens, Clement A. Wilson, William A. Peet, Jacob J. Neff, Michael Bachert, Malcolm Martin, John Hall, Samuel Seed, William F. Johnston, Cornelius J. Wilson, and their associates, be and they are hereby created and erected into a body politic and corporate in law, by the name, style and title of the Pennsylvania Sewing Machine fund and loan company, and by that name to have perpetual succession, to sue and be sued, plead and be impleaded in all the courts of law and equity; to take, hold, possess and enjoy lands, tenements and hereditaments, goods, chattels, rights and credits; to have and use a common seal, and change and renew the same at pleasure, and generally to have all the other incidents of a corporation: *Provided,* That the clear yearly income of the real estate of said corporation shall not exceed the sum of three thousand dollars. Corporators. Style. Powers. Proviso.

SECTION 2. The object of said corporation shall be the accumulation of a fund for the purpose of making loans to the members thereof, to enable them to purchase any one of the popular and reliable sewing machines, that he or she may desire, at reduced prices and on advantageous terms, on giving good and reliable security. Object.

SECTION 3. That the said corporation shall have full power and authority to make all needful rules and by-laws for their own government, and to alter and amend the same as they may deem expedient, and issue the shares of the capital stock, not exceeding in number ten thousand, at the par value of twenty-five dollars each: *Provided,* That no rule or by-law, as aforesaid, By-laws. Proviso.

shall be repugnant to or inconsistent with the laws of the United States or of this commonwealth.

Management.

SECTION 4. That the government of said corporation, and the management and direction of its affairs and property, shall be vested in a president, vice president, cashier, assistant cashier and nine directors, who shall be chosen, annually, by the stockholders, at such times and in such manner as the constitution and rules of said corporation may direct.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 610.

### A SUPPLEMENT

To an act to incorporate the Big Muncy Creek and Laporte Plank Road Company, passed the twenty-third day of March, A. D. one thousand eight hundred and fifty-four.

Time for completing extended

May construct turnpike road.

Sole right to use steam engines as a motive power.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the time for completing the road by the Big Muncy Creek and Laporte plank road company be and the same is hereby extended for five years from the passage of this act; and the said company in lieu of a plank road may construct a turnpike road over all or any portion of said route, subject to all the regulations and restrictions of the act to which this is a supplement, and of the general turnpike road laws of this commonwealth.

SECTION 2. That the said company and their assigns shall have the sole and exclusive right to use upon said road steam engines as a motive power, subject to such regulations as said company may make, in relation to transportation of freight or passengers thereon.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The sixteenth day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 611.

## A N A C T

Authorizing the Supervisors of the township of Susquehanna, in the county of Lycoming, to collect Road Taxes in money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the supervisors of the township of Susquehanna, in the county of Lycoming, to demand, collect and receive the road taxes, hereafter assessed in said township, from the person or persons charged with such tax or taxes, respectively, the amount of such taxes in money, any law or usage to the contrary notwithstanding.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The sixteenth day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 612.

## A N A C T

To incorporate the Easton and Nazareth Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John C. Leibfried, Solomon Shafer, Jacob S. Hartzell, Edward Commissioners. H. Reichel and William Beitel, of Nazareth; Samuel Yohe, James Thompson, Thomas Michler, Peter Kemerer, William Barnet and Thomas H. Leary, of Easton; John Jordan and William B. Smith, of Philadelphia; C. W. Kellog, A. Van Sickle, A. Zoelisch and J. C. Gunther, of New York city, or any five of them, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company by the name, style and title of the Easton and Nazareth railroad company, with power to construct a railroad from the borough of Easton to the borough of Nazareth, in the county of Northamp-Route.



ton, and with power to connect with any railroad now existing or hereafter to be built at either end of said route.

Capital stock.

SECTION 2. That the capital stock of said company shall be one hundred and fifty thousand dollars, with privilege to increase the same from time to time, if deemed expedient by a majority of the stockholders, present at a meeting called for that purpose, to an amount sufficient to complete their road and provide the same with all the necessary cars, locomotives, machinery, depots, water stations, et cetera, not exceeding, however, the sum of two hundred thousand dollars.

May borrow money and issue bonds.

SECTION 3. That the directors of said company may borrow money to an amount not exceeding five hundred thousand dollars, and issue their bonds therefor, either with or without coupons, in sums not less than one hundred dollars each, bearing any rate of interest not exceeding eight per centum per annum, and secure the payment of the principal and interest of said bonds by a mortgage or mortgages upon the railroad, locomotives, cars, and all other real and personal property, and the corporate rights, privileges and franchises of the company; and the said directors may make the said bonds convertible into stock at par, if such course shall be deemed advantageous to said company; and every such mortgage, duly acknowledged and recorded in the proper office of the county in which the railroad of said company may be located, shall be good and valid, and effectual in law against the said company and against all judgments and executions, subsequent in date to the recording of

Lien of mortgage, relative to.

such mortgage or mortgages, notwithstanding said company continue to use and be in possession of said property so mortgaged; and the said railroad, locomotives, cars, and real and personal property, corporate rights and franchises, in the event of a sale under the said mortgage or mortgages, shall pass to the purchaser or purchasers, free from any encumbrance, lien or liability, subsequent to the recording of the said mortgage or mortgages, as aforesaid, and to be vested in him or them: *Provided*, That all debts and claims against the said company for ties, wood, or materials furnished, or damages ascertained, or labor performed along the line of said road, prior to the recording of said mortgage or mortgages, as aforesaid, shall be satisfactorily secured to the creditor or creditors, otherwise the said mortgage or mortgages shall have no validity against said debts or claims: *And provided further*, That the declaratory act, passed the twenty-fifth day of February, Anno Domini one thousand eight hundred and fifty-six, respecting the interest on loan certificates issued by any railroad or canal company, together with the eleventh section of the act of twenty-sixth July, Anno Domini one thousand eight hundred and forty-two, referred to therein, shall extend to and be applied to the certificates issued under the present act.

Proviso.

Proviso.

Subject to.

SECTION 4. That the said company shall be entitled to all the privileges and subject to all the restrictions imposed by an act, entitled "An Act regulating railroad companies," approved the ninth day of February, Anno Domini one thousand eight hundred and forty-nine, except so far as otherwise provided in this act.



SECTION 5. That in all cases where the company and the owners of land and materials cannot agree upon the amount of damages claimed, either for land or materials, the said company may tender a bond, with sufficient security, to the party claiming damages, the condition of which shall be that the company will pay, or cause to be paid, such amount of damage as the party shall be entitled to receive, after the same shall have been agreed on by the parties or assessed according to law: *Provided, That* in case the party or parties, claiming damages, refuse to accept the bond or bonds tendered by the said company, the said company may in such case present their bond or bonds to the court of common pleas of the proper county, or to any one of the judges thereof; and if the said court or any one of the judges thereof approve the security, they shall direct the said bond or bonds, to be filed in the prothonotary's office of said court, for the benefit of those interested, whereupon the company may enter upon or take possession of such land and materials.

Damages for materials and land, relative to.

Proviso.

SECTION 6. That in all cases in which the owners of land and materials are minors, it shall and may be lawful for the guardian of such owners, and the said company, amicably to adjust the amount of damages to be paid, if they can agree; and on payment of the amount, it shall be lawful for such guardians to release said company from all claims therefor, and to execute all necessary papers in the premises; in case the said parties cannot agree, the said company may proceed as is provided in the fifth section of this act.

Damages by minors, relative to.

SECTION 7. That if the said company shall not commence their road within three years, or complete the same within six years from and after the passage of this act, then the same shall be null and void, except so far as the same shall be necessary to settle up the affairs and pay the debts of said company.

Limitation.

SECTION 8. That the directors of said company are hereby authorized to pay to the stockholders, entitled to receive the same, interest at the rate of six per centum per annum on all instalments paid by them, until the work is completed and in operation; which interest shall be charged to the cost of the road; and the stock of said company shall not be subject to tax in consequence of payment of interest.

Interest on instalments.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 613.

## AN ACT

To incorporate the Oil Creek Railroad Company.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

Commissioners. John W. Howe, Andrew L. Smith, William C. Hunt, A. W. Miniford, George Merriman, Alexander Power, Philip Gassler, C. B. Curtis, E. J. Spencer, H. R. Rouse, H. P. Kinnear, Thos. Struthers, S. A. Black, Horace Cullum and J. T. Shyrook, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company, by the name, style and title of the Oil Creek railroad company, with all the powers and subject to all the provisions and restrictions prescribed by an act regulating railroad companies, approved the nineteenth day of February, one thousand eight hundred and forty-nine.

Style. and subject to all the provisions and restrictions prescribed by

Subject to. an act regulating railroad companies, approved the nineteenth day of February, one thousand eight hundred and forty-nine.

Capital stock. **SECTION 2.** That the capital stock of said company shall consist of two thousand shares, of fifty dollars each: *Provided*, That said company may, from time to time, by a vote of the stockholders at a meeting called for that purpose, increase the capital stock so much as in their opinion may be necessary to complete the said road, and to carry out the true intent and meaning of this act.

Route. **SECTION 3.** That said company shall have the right to build and construct a railroad, beginning at or near Garland station, on the Sunbury and Erie railroad, in the county of Warren, and thence by such route as shall, in the opinion of the directors, best conduce to the public interest, to the borough of Titusville, in the county of Crawford; and the said company shall have power to extend their road to the mouth of Oil creek and the borough of Franklin, in the county of Venango, and shall have the right to connect their said road with the Atlantic and Great Western railroad, at any point within the counties of Crawford and Erie.

May borrow money. **SECTION 4.** That the president and directors of said company shall have power to borrow money from time to time, in such sums as they may think proper, and at such rates of interest, for the construction of said railroad, and the procuring of the rolling stock therefor, and to pledge the said road and stock, or any part thereof, for the payment thereof: *Provided*, That said company shall not issue bonds of a less denomination than one hundred dollars.

Proviso. **SECTION 5.** The said Oil Creek railroad company shall complete their road ready for running, in five years from the first day of June, one thousand eight hundred and sixty-five.

Limitation. **SECTION 5.** The said Oil Creek railroad company shall complete their road ready for running, in five years from the first day of June, one thousand eight hundred and sixty-five.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

## No. 614.

## A FURTHER SUPPLEMENT

To an act incorporating the East Brandywine Railroad Company, in Chester county, approved March thirty-first, Anno Domini one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the time for commencing the construction of the East Brandywine railroad is hereby extended to six years from the passage of this act, and the time for completing the same is hereby extended to eight years from the passage of this act, and that instead of terminating at a point in the line of the Cornwall and Phoenixville railroad, it may terminate at Waynesburg, in the same county, by such route as the said company may select: *Provided,* That the said company may, at any time hereafter, locate and extend the said road, by such route as it may select, so as to connect with or intersect the proposed Reading and Columbia railroad, or the Lebanon Valley railroad, or both, and that the title of the said company shall hereafter be the East Brandywine and Waynesburg railroad company.

Commencement  
and completion,  
time of extended

Proviso.

SECTION 2. That the directors of said company are hereby authorized to borrow any amount of money, not exceeding one hundred and seventy thousand dollars, and issue their bonds or certificates of preferred stock therefor, bearing any rate of interest not exceeding seven per centum per annum; and to secure the payment of the principal and interest of the said bonds, or the interest on the preferred stock, or both, the said company shall have power to mortgage the whole or any part of its corporate estate, powers and franchises; said bonds to be in sums not less than one hundred dollars each, and the preferred stock in shares not less than fifty dollars each.

May borrow  
money.

May issue bonds  
or certificates of  
preferred stock.

Mortgages.

SECTION 3. That the said company is hereby authorized to connect their railroad with the Pennsylvania railroad, (formerly Columbia railroad,) or any other railroad which it may intersect, upon such terms as shall be agreed upon by the respective companies.

May connect  
with Pennsylvania  
railroad.

SECTION 4. That the Pennsylvania railroad company is hereby authorized to aid the said East Brandywine and Waynesburg railroad company in the completion of its road, either by subscription to its stock, or the endorsements of the stock or bonds of said company, and may lease and operate the said railroad, upon such terms as may be agreed upon between the said companies.

May receive aid  
from Pennsylvania  
railroad company.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The third day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 615.

## A N A C T

To incorporate the Farmers' Western Market Company.

Corporators.	<p>SECTION 1. <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That</i> John L. Young, William F. Simes, E. T. Hyatt, L. S. Heins, J. H. Pauling, Isaac W. Van Houten, Thomas Erskine, John W. Simes, junior, and George W. Hawkins, and their associates, and all persons who may now or hereafter be holders of the stock hereinafter mentioned, shall be and they are hereby declared to be constituted a body politic or corporate, by the style of the Farmers' Western market company; to have perpetual succession; to be capable, in law, of suing and being sued; to have a common seal, and the same to alter and renew at pleasure; to have, hold, receive and enjoy, and take, in fee simple or upon ground rent, such real and also such personal estate as may by them be deemed necessary and proper for the ownership and for the contruction, and for the proper use and management, and maintenance of a market house, to be located north of Market street and west of Twenty-first street, in the city of Philadelphia, and for the accommodation and use of any parties who may be desirous of renting and occupying the same, with full power to sell, mortgage, create the necessary ground rent deeds, or convey the said real and personal estate.</p>
Style.	
Seal. Powers and privileges.	
Object and purposes.	<p>SECTION 2. That the object and purpose of the said corporation shall be to erect and maintain a suitable building or buildings, and stalls, with all other things necessary for the use thereof, at any place within the limits of the city of Philadelphia, north of Market street and west of Twenty-first street, the same to be appropriated and used as a public market house, for the sale and vending of meat and vegetables, and all other kinds of victuals and provisions whatever; the said building or buildings, the stalls, or any one or more, or all of the same, to be leased, rented or disposed of in such manner, and upon such terms and conditions as the managers shall determine: <i>Provided</i>, Such by-laws and regulations shall not exclude farmers from any rights, privileges and immunities in renting stalls and selling produce therefrom, that are or may be granted to any citizen of Philadelphia or elsewhere: <i>And provided also</i>, That some uniform rule in renting or letting out of stalls shall be established by the managers and corporators, and printed in English, and hung up in some conspicuous place in the said market house or houses: <i>And provided also</i>, That upon application being made, at the time or times set forth in the above provided rule, and in conformity therewith, the farmers of the state of Pennsylvania shall be entitled to fifty per cent. of the said stalls.</p>
Proviso.	
Proviso.	
Proviso.	
Capital stock.	<p>SECTION 3. That the capital stock of the said corporation shall not exceed one hundred thousand dollars, divided into five thou-</p>

sand shares of twenty dollars each, and shall be in such form, and be issued and transferred in accordance with such by-laws as the said managers may establish.

SECTION 4. That the government and control of the said company, and the management of its property, shall be vested in, and the corporate powers of the said company shall be exercised by, a president, secretary, treasurer and six others, who shall constitute the board of managers who shall be elected, by ballot, from among the stockholders, and shall continue in office until their successors be elected; they shall supply all vacancies in their number, however occasioned, and shall have full and entire control of the affairs and interests of the company; and, until other officers be duly elected, the persons named in the first section of this act shall be held to be managers of the said company, and shall have full power and authority as such. Officers and duties of.

SECTION 5. That a general meeting of stockholders be held, annually, on the third Friday of January, for the election of a president, secretary, treasurer and six others, to form the board of managers as above provided, and the transaction of such other business as may be laid before them; if such meeting or election shall not then take place, the corporation shall not for that cause be dissolved, but such meeting or election shall take place as soon thereafter as may be, one week's public notice thereof being given in at least three daily papers, published in the city of Philadelphia; and special meetings of the company may be called and held as may be provided by the by-laws thereof; and that in the enactment of by-laws for the government of the corporation and its officers, and in the election of officers, and the decision of all questions, and at all the meetings of the company, the stockholders present, either in person or by proxy, shall severally be entitled to one vote for each share of stock held by them. Annual meeting of stockholders.  
Election of officers, &c.  
Notice of to be published.  
Votes.

SECTION 6. That the privileges hereby granted shall extend for a period of thirty years and no longer, unless otherwise granted by the legislature of the commonwealth. Limitation.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.



No. 616.

## AN ACT

To incorporate the Foster Coal and Iron Company.

Preamble.

WHEREAS, William B. Foster, junior, died seized and possessed of certain lands and coal rights in this commonwealth, as shown by deed from John Guthrie and wife, dated the twenty-third day of March, Anno Domini one thousand eight hundred and fifty-seven, and recorded in Indiana county, in record book number twenty-three, pages four hundred and sixty-nine, four hundred and seventy and four hundred and seventy-one; by deed from the said John Guthrie and wife, dated the twenty-third day of March, A. D. one thousand eight hundred and fifty-seven, and recorded in Indiana county, in record book volume twenty-third, pages four hundred and sixty-seven, four hundred and sixty-eight and four hundred and sixty-nine; by deed from James W. Robinson and wife, dated the twenty-eighth day of March, A. D. eighteen hundred and fifty-seven, and recorded in Indiana county, in record book number twenty-third, pages four hundred and seventy-one and four hundred and seventy-two; by deed from Samuel S. Robinson and wife, dated the first day of April, A. D. one thousand eight hundred and fifty-seven, and recorded in Indian county, in deed book number twenty-third, pages four hundred and seventy-four and four hundred and seventy-five; by deed from John Wilson and wife, dated the first day of April, one thousand eight hundred and fifty-seven, and recorded in Indiana county, in record book number twenty-three, pages four hundred and seventy-two, four hundred and seventy-three and four hundred and seventy-four; by deed from Philip Kline and wife, dated the first day of April, A. D. one thousand eight hundred and fifty-seven, and recorded in Indiana county, in deed book number twenty-three, pages four hundred and seventy-five, four hundred and seventy-six and four hundred and seventy-seven; by deed from William Guthrie and wife, and Jane Robinson and Maria W. Robinson, dated the first day of April, A. D. one thousand eight hundred and fifty-seven, and recorded in Indiana county, in record book of deeds, volume twenty-third, pages four hundred and seventy-seven, four hundred and seventy-eight and four hundred and seventy-nine; by deed from William Sweeney and wife, dated the first day of July, eighteen hundred and fifty-seven, and recorded in Indiana county, in deed book number twenty-three, pages four hundred and seventy-nine and four hundred and eighty; by deed from Joseph Piper, dated the tenth day of October, A. D. one thousand eight hundred and fifty-seven, and recorded in Indiana county, in deed book number twenty-third, pages four hundred and eighty-three and four hundred and eighty-four; and by deed from Joseph M'Dowell, dated the first day of July, A. D. one thousand eight hundred and fifty-seven, recorded in Indiana county, in deed book number twenty-three, pages four



hundred and eighty and four hundred and eighty-one, all of which deeds are to the said William B. Foster, junior, and on the said coal rights, there remain unsatisfied certain purchase money, mortgages upon which there is now due and owing by the estate of the said William B. Foster, junior, a balance in the aggregate of fifteen thousand and three hundred and ninety-five dollars, (\$15,395 :)

*And whereas*, The said William B. Foster, junior, in his life time, was desirous of selling certain interests in the said lands and coal rights, so that the purchasers thereof and himself, might convert their respective interests therein, into the capital stock of a corporation, and the said mortgage indebtedness be thus paid and discharged :

*And whereas*, The interests of the heirs of the said William B. Foster, junior, who are minors, would be materially injured if not entirely sacrificed, if the payment of the said mortgage indebtedness was pressed, the rest of the estate of the said decedent being altogether insufficient for that purpose ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That Robert L. Burnett, administrator of the estate of the said William B. Foster junior, J. Edgar Thompson, James Magee, Thomas A. Sco and Edward C. Biddle, and such other persons as may purchase an interest or interests in the said lands and coal rights, their successors and assigns, be and they are hereby constituted a body politic and corporate, under the name, style and title of the Foster coal and iron company, by which name the said corporators shall have perpetual succession, and enjoy all the privileges, incidents and franchises usually pertaining to a corporation, and not inconsistent with the powers and duties thereafter set forth.

Corporators.  
Title.  
Privileges.

SECTION 2. The said persons so incorporated, shall meet early after the passing of this act, upon reasonable notice of the time and place of meeting, and in case they shall accept the provisions of this act at such meeting, they shall proceed to elect by ballot, seven of their number as directors, to serve one year thereafter, and until their successors shall be duly elected, and annually thereafter at such time and place as the said directors may designate by by-law, to serve for one year and until their successors be duly elected, and each share of stock shall entitle the holder thereof to one vote ; the directors so chosen shall elect one of their number as president, and all other officers and agents shall be elected or appointed by the said directors, as shall be provided for by the by-laws ; upon notice of the acceptance of the provisions of this act, and the due organization of the corporation to the governor of this commonwealth, there shall be granted in the usual form prescribed by law, letters patent to said corporation.

Annual meeting.  
Election of directors.  
Votes.  
Officers.  
Letters patent.

SECTION 3. That it shall be lawful for the said corporation to have and to hold all the lands and coal rights, hereinbefore referred to, and described in the respective deeds hereinbefore referred to, the title to which said lands and coal rights shall

To hold certain lands and coal rights.

- To be converted into capital stock forthwith vest in the said corporation, and the same to convert into a capital stock, which shall forthwith be divided into two thousand shares, the value of each share to be fifty dollars, (\$50,)
- To be apportioned among owners and to apportion the same amongst the said owners, according to their respective interests in the said lands and coal rights, for which shares certificates of stock shall be issued to each of them, signed by the president and attested by the treasurer and secretary, with the corporate seal affixed thereto; such certificates shall be issued and made transferable as the by-laws may direct, and the shares of stock so created, shall for all purposes be deemed, taken and treated as personal estate: *Provided*, That the said directors may, with the consent of a majority of the stockholders, increase the capital stock to an amount not exceeding two hundred and fifty thousand dollars.
- Certificates of stock to be issued
- Proviso.
- Business and powers of the corporation.
- SECTION 4. That it shall be lawful for the said corporation to mine coal and iron ore, and to manufacture iron and iron materials, and to transport the same to market, or to lease, demise and let, for a period or periods together, not exceeding twenty years, to such person or persons as may apply for the same, and upon such terms as may be agreed on, any of the said lands and the right and privilege of mining, taking and carrying away the iron ore, coal and other mineral and materials from the said lands, and shall have the power to purchase any additional lands required for the purpose of the said company, in Indiana or Armstrong counties: *Provided*, That the quantity shall not exceed two thousand acres, and the property and franchises of said corporation shall be exempt from taxation for state purposes, until the youngest child of said William B. Foster, deceased, shall attain the age of twenty-one years.
- Proviso.
- Contracting debts, relative to.
- SECTION 5. That the said directors shall not contract a debt exceeding the sum of ten thousand dollars, without the consent of the stockholders representing a majority of the stock.
- Seal.
- SECTION 6. That it shall be lawful for the said directors, or a majority of them, to adopt a common seal, to enact by-laws, declare dividends, and conduct and manage the affairs and business of the said corporation: *Provided*, That the same be not inconsistent with the constitution and laws of this commonwealth.
- Reservation.
- SECTION 7. That the legislature reserves the right to amend or repeal this act, if the same shall hereafter be considered incompatible with the general good of the commonwealth, but in suchwise, nevertheless, as to do no injustice to the stockholders: *Provided*, That nothing in this act shall affect the lien of any mortgage or judgment.
- Proviso.
- Orphans' courts of certain counties to decree sale of lands.
- SECTION 8. That before this act shall take effect, it shall be lawful for the orphans' courts of the counties in which the lands aforesaid are situated, upon the petition of the guardian or guardians of the minor children of the said William B. Foster, deceased, to order and decree a sale of the said lands, and if the incorporators named in this act, shall purchase the said lands under the decree of the courts as aforesaid, then the said courts shall authorize the said guardians to receive in payment of said lands from the purchasers thereof, certificates of stock in said corporation, as provided for in the third section of this act:
- Purchasers of, relative to.
- Guardians to receive in payment certificates of stock.

*Provided*, That the number of shares of stock received for said *Proviso*. lands shall not be less than eight hundred shares.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The sixteenth day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 617.

## AN ACT

To incorporate the Cold Spring Water Company at New Brighton.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Silas Merrick, John Miner, William P. Townsend, Benjamin Wilde, J. Webster Wilson, John Sargeant, William Kennedy, Charles Hoops and B. B. Chamberlin, be and they are hereby appointed commissioners, who, or a majority of whom, are hereby authorized to establish a water company by the name, style and title of the Cold Spring water company, at New Brighton, Pennsylvania, to be located at New Brighton, Beaver county, for the purpose of introducing from the Beaver river, or other streams, runs or springs, a sufficient supply of pure and wholesome water, under the powers and privileges, and subject to the provisions of the act to provide for the incorporation of gas and water companies, passed the eleventh day of March, one thousand eight hundred and fifty-seven, with a capital stock, under said incorporation, of not exceeding fifty thousand dollars.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 618.

## A N A C T

For the relief of Samuel Buzzard, of Bedford county, and Chauncy F. Mitchell, of Somerset county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Samuel Buzzard, of Bedford county, be and he is hereby released from the payment of three hundred dollars, due and payable by him to the State Lunatic asylum.

Samuel Buzzard released from payment of certain money.

C. F. Mitchell released from payment of certain money.

SECTION 2. That Chauncy F. Mitchell, of Somerset county, be and he is hereby released from the payment of three hundred dollars, due and payable by him to the State Lunatic asylum.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twentieth day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 619.

## A N A C T

To narrow Wakefield street, from East Logan to Penn street, in the Twenty-second ward of the city of Philadelphia.

WHEREAS, Wakefield, late Clinton street, was originally laid out of the width of thirty-feet, from East Logan to Brighthurst street, the owners of lots erected dwellings and other buildings upon said street:

*And whereas*, Under the survey of the late borough of Germantown, the width of said street was confirmed upon the plan, as a fifty foot street, which, if declared as a public highway, would cause the destruction or serious injury to a very large majority of the said buildings:

*And whereas*, The original buildings were so erected, that a street of forty feet can be opened without injury to private property; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Wakefield street, from East Logan street to Penn street, in the Twenty-second ward of the city of Philadelphia, be and the same is reduced from the width of fifty feet to the width of forty feet, by vacating five feet on each side of the said street; and that the five feet of soil so taken from the south-west side of said street, shall be and is hereby vested in fee simple in the respective owners of the ground adjoining thereto, and fronting on the south-west line of said street, and that the five feet of soil so taken from the north-east side of said street, shall be and is hereby vested in fee simple in the respective owners adjoining thereto and fronting on the north-east line of said street.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twentieth day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 620.

## A N A C T

To incorporate the German Hospital of the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Jacob Muller, Jacob Kemper, Charles Wilhelm, William Gross-Corporators. holz, Louis Voigt, Charles Lorenz, Joseph M. Reichart, Frederick Heyer and M. Richards Muckle, their associates and successors, be and hereby are declared a body politic and corporate, in law and in fact, with the name and title of the German hos- Title. pital of the city of Philadelphia, and shall have all the rights, franchises and powers, and be subject to all the liabilities which Powers. by law appertain to a corporation, including the right and liability to action, the right to use a common seal, and to receive and hold real property to an amount not exceeding, in clear annual value, the sum of twenty thousand dollars, and to convey or mortgage the same at pleasure.

SECTION 2. The objects of this corporation are to provide med- Objects. ical and surgical aid, and nursing in the wards of the hospital, for the sick and disabled.



Qualification of voters.	SECTION 3. Every person contributing not less than five dollars at any one time, and annually thereafter the sum of three dollars, shall be entitled to vote, and to all the rights of a contributor as long as he shall pay his annual contribution. Every person contributing at any one time a sum not less than fifty
Life membership	dollars, shall have the same rights and privileges, and be thereby constituted a life member. Every contributor of one thousand dollars shall also be entitled to have one patient constantly in the wards, on his or her recommendation, and be a life member. All citizens above the age of twenty-one years, making the contributions mentioned and provided in this section, shall be eligible as managers.
Eligibility of managers.	SECTION 4. Any association or corporation contributing at any one time a sum of not less than one hundred dollars, shall be entitled to cast, by a representative to be appointed for that purpose, one vote at the annual election. Every charitable, beneficial or other corporation or association, contributing, with the assent of the board of managers, the sum of fifteen hundred dollars, shall be entitled to have one of its sick members constantly in the wards, on its recommendation; and on payment of the further sum of one hundred and fifty dollars annually, such association or corporation shall have the privileges of the admission of another patient.
Contributions by associations or corporations.	SECTION 5. The corporation hereby established shall also be entitled to receive donations or legacies to any amount not falling within any of the foregoing classes, and apply the same to the general purpose of the institution. The privileges of all contributors and subscribers shall be enjoyed, subject to the regulations of the corporation.
May receive donations or legacies.	SECTION 6. The government of this corporation shall be vested in a board of managers, which shall consist of twenty-four persons. The election for managers shall be held on the last Wednesday of December of every year, or in case of failure to elect on that day, on any subsequent day. At the first election twenty-four managers shall be chosen, in three different classes of eight members each, to continue in office one, two and three years, respectively; and at every subsequent election eight members shall be elected, to serve for three years. The board shall have power to fill vacancies in their own body. Seven members shall constitute a quorum for all ordinary business, including the payment of current expenses; but for filling vacancies in their body, making or altering by-laws, purchasing, mortgaging or selling real estate or other capital stock of the corporation, or contracting any debt beyond two hundred dollars, except for current expenses, thirteen members shall be required to form a quorum. The board of managers shall elect, at their first meeting in every year, or at such other time as they may designate, a president, treasurer, secretary and other necessary officers. The board of managers shall hold meetings monthly, at such time and place as shall be appointed by the by-laws.
Government and election of board of managers.	SECTION 7. The board of managers shall choose, at their first meeting after their election, or at such other time as they may appoint, such number of physicians, surgeons and obstetricians, as they shall deem sufficient, and who shall form the medical board. Every person so elected shall speak the German language with
Terms of.	
Vacancies, how filled.	
Quorum for ordinary business.	
Quorum for certain other business.	
Election of officers.	
Medical board, appointment and duties of.	



facility. They shall also fill vacancies in such board, and have the power of removal. The entire medical care of the patients shall devolve on the said medical board. The admission and discharge of patients, and the general management of the hospital, shall be subject to such by-laws and rules as the board of managers may adopt: *Provided*, That patients shall be admitted without exclusion of country, creed or color. Proviso.

SECTION 8. The board of managers shall have the right to adopt by-laws for their own government: *Provided*, They are not inconsistent with this charter, or with the constitution of this commonwealth. By-laws. Proviso.

SECTION 9. Until the regular election of a board of managers, in December, one thousand eight hundred and sixty, the following twenty-four persons shall compose the board of managers: Jacob Muller, Jacob Kemper, Charles Wilhelm, William Grossholz, Louis Voigt, Charles Lorenz, Joseph M. Reichard, Frederick Heyer, M. Richards Muckle, Francis M. Drexel, Francis F. Wolgemuth, J. Theophilus Plate, Mayer Arnold, Frederick Staake, Martin Landenberger, Charles Psotta, Frederick L. John, John P. Peisch, Leonard Benkert, F. Ubelshauser, Mayer Gans, S. T. Freeman, J. H. Shoemaker and Philip Becker. First board of managers.

JOHN M. THOMPSON,

*Speuker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 621.

## A N A C T

To incorporate the United Firemen's Insurance Company of the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That William A. Rolin, of the Schuylkill hose company; Conrad B. Address, of the Northern Liberty hose company; William M'Mullen, of the Moyamensing hose company; James M'Calley, of the Fairmount hose company; John Hirst, of the Franklin hose company; Thomas Spence, Taylor hose company; Hubert Conwell, Hibernia engine company; J. N. Kochersberger, William Penn hose company; William J. Hazell, Hope Corporators.

engine company; Samuel Copeland, Jr., of the Warren hose company; William Glenn, of the Franklin fire company, Frankford; Samuel K. Reed, of the Ringgold hose company; John Arthur, of the Excelsior hook and ladder company; Thomas J. Seal, of the Monroe fire company; William A. Simpson, Manayunk fire company; James Morgan, of the Independence fire company; Aikin Guy, of the Western hose company; William Frederick Smith, of the Empire hook and ladder company; George W. Press, of the Spring Garden hose company; Thomas S. Davis, of the South Penn hose company; Michael F. Kelley, of the West Philadelphia fire company; J. Henry Askin, of the West Philadelphia Union hose company; William H. Sparks, of the Kensington hose company; George W. Brazer, of the Vigilant hose company; Charles E. Idell, of the Franklin fire company of Germantown; Amos Burton, of the Western fire company; William Wright, Good Intent fire company of Roxboro'; Nicholas Rittenhouse, Wissahickon fire company; Christian Geiger, Shiffler fire company; Casper Guyer, of Moyamensing hose company, and all others who may hereafter become associated with them, in the manner hereinafter prescribed, shall be and are hereby constituted a body politic and corporate, in deed and in law, by the name, style and title of the United Firemen's insurance company of Philadelphia, and by said name shall have perpetual succession, and be capable, in law, to sue and be sued, plead and be impleaded in any courts of this commonwealth, or elsewhere; and shall and may adopt and use one common seal, and the same to alter or renew at their pleasure; and generally to do and perform all things relative to the object of this institution, which now is or shall be lawful for any individual, or body politic or corporate to do.

Style.

Powers.

Capital stock.

Instalments,  
payment and for-  
feiture of.

Proviso.

Proviso.

SECTION 2. That the capital stock of this company shall consist of the sum of one hundred thousand dollars, which shall be divided into shares of ten dollars each, and shall be held as a guaranty capital; it may, however, be increased to the sum of three hundred thousand dollars, whenever the same shall be directed by a majority of the directors; and there shall be paid into the treasury of said corporation, at the time of subscription, by each subscriber to the capital stock, an instalment of one dollar on each share of stock by him or them subscribed for, and the remainder of said stock shall be paid at such time or times, and on such terms as shall be determined by the directors of said company; and should any stockholder refuse or neglect to pay an instalment when required by the directors, he or they shall forfeit his or their interest in this company, and be held liable for his or their proportion of any loss which may have occurred previous to such neglect or refusal: *Provided*, That should any forfeiture occur, it may be remitted by a majority of the board of directors, present at any meeting at which the motion for such remission shall be made, upon the payment by the person or company incurring the forfeiture of the principal of such instalment, and interest thereon up to the time of such payment: *And provided further*, That nothing herein contained shall be so construed as to release such stockholder from liability to pay his or their proportion of all losses that may have occurred between the date of his or their first subscription and the time

when he or they shall be reinstated as a stockholder, in the manner hereinbefore provided for.

SECTION 3. That each fire company in the city of Philadelphia, and the association for the relief of disabled firemen, shall be entitled to subscribe by itself, for its own use, in its corporate capacity, or by means of trustees, for the use of said company or said association, for one hundred shares of stock: *Provided*, That any part of said stock which may not be subscribed for, by said companies or said association, at the expiration of six months from the passage of this act, may be subscribed for by individuals, members of fire companies, under such regulations as may be determined upon by the directors.

Who entitled to subscribe for stock.

Proviso.

SECTION 4. That so soon as twenty-five hundred shares shall be subscribed for, the company shall be competent to transact all kinds of business for which it is established.

When company may commence business.

SECTION 5. That each fire company shall open books of subscription for the capital stock of the company hereby incorporated, on or before the first Monday in August, Anno Domini one thousand eight hundred and sixty, and shall deliver the said books and money paid on the subscription to the board of directors, so soon as they shall be appointed and prepared to receive the same: *Provided*, That the neglect or refusal of any fire company to open books shall not invalidate this charter: *And provided further*, That the directors may, at any time, cause books to be opened to receive the subscriptions of the company, or individual members of the company, which may have refused or neglected to open books of subscription.

Each fire company to open books of subscription.

Proviso.

Proviso.

SECTION 6. That no person, other than a member of a fire company in the city of Philadelphia, shall be entitled to purchase or hold any part of the capital or joint stock of this company; and the share or shares of a stockholder, ceasing to be a member of a fire company, if not transferred to a member of a fire company, to a fire company, or to the association for the relief of disabled firemen, within sixty days after said stockholder shall have ceased to be a member of a fire company, shall not be entitled to any portion of the profits of this company after the expiration of sixty days, neither shall the purchaser of said stock be entitled to any portion of the profits of this company between the time of the expiration of said sixty days and the date of purchase.

Members of fire companies only to purchase stock

Transfer of stock.

SECTION 7. That two years shall be allowed to the executors or administrators of any deceased stockholder in this company, to dispose of the same, at the expiration of which time the stock so held shall be transferred to a member of a fire company, or to a fire company, or to the association for the relief of disabled firemen: *Provided*, That a member of a fire company may hold in trust for the benefit of the widow or children of any deceased stockholder, such stock as may have been held by the deceased at the time of his death; but on the arrival at age of said children, if males, they must become members of a fire company, a neglect or refusal to do which, for sixty days, shall debar them and the purchaser of said stock from any share in the profits of this company, during the time it may have been held after the expiration of said sixty days and the day of its

Stock of deceased stockholders.

Proviso.

sale and transfer to a person or corporation duly qualified to hold stock in this company.

Insurance to fire-  
men of Philadel-  
phia, relative to,

SECTION 8. That every member of a fire company in the city of Philadelphia, shall be entitled to effect insurance at a discount of five per centum less than other persons, upon producing, to the satisfaction of the directors, a certificate of his right of membership; and all the companies associated or who may hereafter be associated under this act, within the city of Philadelphia, shall be entitled to equal participation in all benefits and advantages of the institution, in proportion to the amount of stock held by the said company.

Delegates, elec-  
tion of, &c.

SECTION 9. That the several fire companies composing this association, and the association for the relief of disabled firemen, shall hold separate meetings for the election of delegates, within thirty days after the aforesaid amount of twenty-five hundred shares of stock shall have been subscribed, and on the first Monday in March, in each and every year thereafter, and choose by ballot from among their members, one delegate who shall be a member of the body intended to be represented, and in their choice, each company being a stockholder, and each individual a stockholder, shall be entitled to and have one vote, and the person having the highest number of votes shall be the delegate elect; the delegates so chosen shall meet upon the first Wednesday following their election, and shall choose by ballot, either from among their own body or from among the other stockholders, a president and twelve directors, all of whom shall be stockholders, by whom the affairs of this company shall be managed.

Selection of offi-  
cers, &c.

No director of  
any other insu-  
rance company  
to be a director.

SECTION 10. That no director of any other insurance company shall be allowed to be a director in this, and should any director of this company be elected a director or trustee of any other fire insurance company, his acceptance of that appointment, shall *ipso facto* disqualify him from continuing a director in this company, and the board of delegates shall proceed to fill the vacancy within thirty days, after notice of said vacancy to them given by the president of this company.

Vacancies, how  
filled.

SECTION 11. That in case of the death or disqualification of the president, the directors shall fill the vacancy by ballot; and in case of the death, resignation or disqualification of a director, the place of such director, for the remainder of the year, shall be filled in the manner prescribed in section ten.

May make all  
kinds of insu-  
rance against fire  
in Philadelphia,  
&c.

SECTION 12. That the president and directors shall be and they are hereby authorized to make all kinds of insurance against fire, within the limits of the city of Philadelphia, only, and generally to transact and perform all business relative to the object aforesaid, and shall always stand and be indemnified and saved harmless in and for the giving out and signing policies, and all other lawful acts, deeds and transactions done, performed and executed in pursuance of and by virtue of these presents, and the stocks, securities and effects of this company, shall in the first place be appropriated and applied, and the same is declared to be appropriated, to exonerate and discharge, indemnify and save harmless, them and every of them, of and from all such costs, charges, damages and expenses, which shall or may happen to arise, or which they or any of them shall

reasonably expend, or be put unto or sustain in, for or concerning the objects aforesaid, or any of them, or the execution or performance thereof.

SECTION 13. That it shall and may be lawful for the said company to employ and invest their capital stock, and other moneys, in bonds and mortgage, or real estate, ground rents, stocks or loans of the United States and of the several states, and in other good securities, and to sell and transfer the same, and to re-invest the proceeds of such sale or transfer, in other similar loans, stocks or securities: *Provided*, That nothing in this act shall prevent said company from receiving, purchasing or holding any real or personal property, stocks or other securities in payment of debts due them, or to secure the same in any manner that the interest of said corporation may require, or to purchase and hold such real estate as may be necessary to accommodate the said corporation in the transaction of the business thereof, and to mortgage, sell, assign and convey the same in fee simple or otherwise: *Provided*, That nothing herein contained shall authorize the company to use their funds in discounting promissory notes, or to exercise any banking privileges: *Provided*, That no investment in real estate, other than ground rents, shall be hereby authorized, except such as shall be needful as a place of business, or shall have been purchased under execution for debts due said company.

Capital stock and other moneys, how to be invested.

Proviso.

Proviso.

Proviso.

SECTION 14. That the president and directors shall declare dividends of the corporation semi-annually, or so much thereof as to them shall appear advisable, not exceeding ten per centum; the remainder of the profits shall be retained as a reserved fund until said fund shall amount to fifty thousand dollars; and in case of any loss or losses, whereby the capital stock of the company shall be lessened, no subsequent dividend shall be made until a sum equal to such diminution, and arising from the profits of the company, shall have been added to the capital.

Dividends.

SECTION 15. That so soon as there shall have been created a reserved fund of fifty thousand dollars, the surplus profits over and above the ten per centum hereby authorized to be declared, shall be semi-annually equally divided among the fire companies composing this company: *Provided*, That in case of a loss or losses, whereby the said reserved fund is diminished, no dividend shall be made to the fire companies until said loss or losses shall be made good from the surplus profits over and above the ten per centum hereby authorized to be divided among the stockholders.

Reserved fund.

Proviso.

SECTION 16. That the president and directors shall have power to appoint a secretary, and such other clerk and officers under them as shall be necessary for the transacting the business of said company, and may allow such salaries as they shall judge reasonable; to provide for the purchase, sale or other disposition, and transfer of all shares of stock belonging to any person who shall cease to be a member of a fire company, and omit for sixty days to dispose of and transfer the same to some person or company entitled under this charter to hold the same; to provide for allowing the executors or administrators of deceased stockholders to dispose of and transfer any stock which shall have been held by such stockholder at the time of his death; to provide for ascertaining the actual value of all shares of stock

President and directors, powers of, &c.



held by persons ceasing to be members of a fire company, and of all shares of stock which may have been held by a deceased stockholder; to provide for the sale or other disposition and transfer of all shares of stock which shall be forfeited, vested in or held by this corporation; to provide that transfers of the capital stock shall only be made to fire companies, to the association for the relief of disabled firemen, to persons in trust for fire companies, to members of fire companies in the city of Philadelphia or to this corporation, and to regulate the manner of making such transfers, so as to make them valid and effectual; to provide for compensating the president of the company; to provide for the appointment of a president *pro tempore*, who shall exercise the authority of the president for the time being; to pass such by-laws and make all such rules and regulations, and the same from time to time to alter or annul, as may be deemed necessary to the full exercise of the power hereby granted and mentioned, and not being contrary to or inconsistent with this act, the constitution and laws of this state or of the United States.

Transfer of stock

SECTION 17. That the stock of this company may be assigned and transferred on the books of the company, either in person or by attorney only; but no stockholder shall be permitted to make a transfer or receive any dividends, who is indebted to the company, until such indebtedness is satisfied, or secured to the satisfaction of the president and board of directors.

Meetings of stockholders.

SECTION 18. That the president and directors may call a general meeting of the stockholders, for any purpose relative to the affairs of the company, giving at least fifteen days' notice thereof, in two or more daily newspapers of the city of Philadelphia; and any number of stockholders, not less than forty, holding not less than five hundred shares of the company, may at any time apply to the president and directors to call a general meeting of the stockholders, for any purpose relative to the affairs of the company; and if the president and directors refuse to call such meeting, the said stockholders shall have power to call said general meeting of the stockholders, giving at least fifteen days' notice, in two or more daily newspapers of the city of Philadelphia, specifying in such notice the object of such meeting.

Annual election of president and directors.

SECTION 19. That should it so happen, that from any cause whatsoever, that the annual election of president and directors should not take place, in any year, on the day hereinbefore appointed for the purpose, this company shall not for that reason be dissolved, but such election may be lawfully held on such convenient day thereafter as may, for that purpose, be fixed on by the president and directors, they causing ten days' notice thereof to be given in two or more of the daily newspapers published in the city of Philadelphia.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.



No. 622.

## A N A C T

To incorporate the Female Domestic Missionary Society for the support of the Gospel in the Almshouse of the city of Philadelphia.

WHEREAS, For about forty-five years past some ladies of Philadelphia have been associated together under the above title, and have been much encouraged in their labor of love during that time, and believing that the interests of the mission would be better secured by its being incorporated, and becoming a body politic in law; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Eliza M'Kean, Sarah M. Lisle, Mary Cowell, Ann Hartung, Sarah Boylan, Eleanor A. Lapsley, Caroline M. Tate, Nancy O'Brien, Anna Purves, Mary Campbell, Mary Jane Miliken, Phoebe Bell and Mary Stewart, and their successors, and all persons who may hereafter be associated with them, in accordance with the conditions hereinafter named, are hereby created

Preamble.  
Corporators.

a body politic and corporate, in deed and in law, by the name of "The Female Domestic Missionary society for the support of the gospel in the almshouse and vicinity of the city of Philadelphia;" and by that name shall have perpetual succession, and be able to sue and be sued, implead and be impleaded, in any court of law or elsewhere; and shall be able to receive, take, have, hold and enjoy, to them and their successors, for the use of the said society, any estate in lands, messuages, tenements and hereditaments, goods, chattels, money or effects of whatsoever nature, by gift, grant, bargain, sale, assurance, devise or bequest, from any body corporate or person whatsoever, and the same, or any part thereof, to sell or dispose of at pleasure; and to make, have and use a common seal, and to break, alter and renew the same at pleasure; and generally to do all and every other matter or thing which any corporation or body politic lawfully may or can do to carry into effect the object and purposes set forth in the succeeding sections: *Provided*, That the clear yearly income or profits of all estate had and enjoyed by the said society shall not exceed the sum of three thousand dollars.

Name.

Powers and privileges.

Proviso.

## CONSTITUTION.

SECTION 2. This society shall be known by the name of "The Female Domestic Missionary society for the support of the gospel in the almshouse and vicinity of the city of Philadelphia."

Name.

SECTION 3. The object of the society shall be to afford to the inmates of the almshouse and its vicinity, stated and regular means of moral and religious instruction, by sending among them a minister of the gospel, and using every possible and proper means to better their moral and spiritual condition, to inculcate in them a life of virtue and piety within the sphere of the

Object.

mission of our Lord and Saviour Jesus Christ, and in accordance with the rules of the almshouse.

**Officers.**

Rents, revenues and funds, how to be applied.

SECTION 4. That the officers of the society shall consist of a board of not more than twenty managers, to be chosen as hereinafter provided. They shall have power, from time to time, to apply the rents, revenues and funds of the corporation for the maintenance and support of the gospel in the almshouse and vicinity.

Managers to be elected annually

SECTION 5. That the board of managers shall be elected at the annual meeting held in March, and continue in office one year, or until others are chosen by a majority of all the members voting: *Provided*, That the persons named in the first section of this act, or a majority of them, shall constitute a board of managers to transact the business of the society until the regular election shall be held, as hereinbefore named.

**Proviso.**

When officers to be chosen.

SECTION 6. That the board of managers shall, within one week after notice of their election, choose from among their own body a directress, secretary and treasurer. The officer last named shall give ample and sufficient security for the faithful performance of her trust. The duties of the officers shall be prescribed by the by-laws. The board of managers shall have power to fill all vacancies that may occur in their body by death or otherwise.

Treasurer to give security.

**By-laws.**

SECTION 7. That the board of managers may enact such by-laws and ordinances for their government as they may deem requisite: *Provided*, That the said rules and ordinances, or any of them, be not repugnant to the constitution and laws of the United States, or the constitution and laws of this commonwealth.

**Proviso.**

Stated and special meetings.

SECTION 8. The stated and special meetings shall be held at such times and in such way and manner as shall be directed in the by-laws: *Provided*, That one stated meeting be held in the month of March of each year.

**Proviso.**

**Membership.**

SECTION 9. Any person may become a member of this society by contributing annually any sum of money not less than one dollar.

**Misnomer.**

SECTION 10. That no misnomer of the said corporation shall defeat or annul any gift, grant, devise or bequest to the said society: *Provided*, The intent of the party making the same shall sufficiently appear on the face of the will, gift, grant or other writing, whereby an estate or interest was intended to be given or passed to the society.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 623.

## A N A C T

Relating to the erection of a new Township out of parts of Pine and West Deer townships, in Allegheny county.

WHEREAS, Commissioners, appointed by the court of quarter sessions of Allegheny county, have reported in favor of the erection of a new township out of parts of Pine and West Deer townships, in Allegheny county; and it appears that the same number of taxables is taken from each township by the boundaries of the new township; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* it shall be lawful for the court of quarter sessions of Allegheny county to order a vote of the qualified electors, residing within the boundaries of the proposed new township of Richland, to be taken on the question of the erection of the said new township, which vote shall be taken at an election, to be held at the school house, in Bakerstown, by the proper election officers of West Deer township, at such time as the court may appoint; and the election, and all subsequent proceedings in the case, shall be conducted in the manner provided by the law relating to the erection of new townships.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 624.

## A N A C T

To change the name and arms of a Military organization.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the rifle regiment now attached to the third brigade, first divi-

sion, Pennsylvania militia, be changed and hereafter known as the First regiment of infantry, third brigade, first division, Pennsylvania militia.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-sixth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 625.

## AN ACT

To incorporate the Neville Island Bridge Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Robert Phillips, James Dickson, Ivory Cole, James Cole, junior, John H. Hamilton, George Cole, Joseph Walters, Henry Eckert and James S. Hamilton, of Allegheny county, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company, under the name, style and title of the Neville Island bridge company, for the purpose of erecting a bridge across a part of the Ohio river, from the south side of Neville island, to a point on the main shore, at or near Davis island, Allegheny county.

Commissioners.

Style.

Capital stock.

SECTION 2. That the capital stock of said company shall be eight thousand dollars, to be divided into shares of twenty dollars each, with power to increase the said capital stock, and number of shares, to an amount sufficient for the erection of said bridge.

Subject to.

SECTION 3. That said company shall be organized under, and subject to all the provisions and restrictions of the act regulating bridge companies, approved the twelfth day of April, Anno Domini one thousand eight hundred and fifty-five.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-fourth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 626.

## AN ACT

To incorporate the General Assembly of the United Presbyterian Church of North America.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That James M'Candless, Graham Scott, John Alexander, Thomas M'Cance, William Getty, William M. Bell and David Reed, and their successors in office, duly elected as hereinafter specified, be and they are hereby constituted and declared a body politic and corporate, in deed and in law, by the name, style and title of trustees of the General Assembly of the United Presbyterian church of North America. Corporators.

SECTION 2. That said corporation shall have perpetual succession, and the right to hold lands, tenements, rents, annuities, franchises and other hereditaments, and all personal property which heretofore have been conveyed, assigned, transferred, devised and bequeathed to the ministers and elders composing the General Assembly of the United Presbyterian church of North America, or to any person or persons in trust for them; and the same is hereby vested in said corporation forever, for such uses and purpose as said conveyances, assignments, transfers, bequests and devises were respectively made or intended; and said corporation is hereby declared to be seized and possessed of such estates and interest therein as in and by said conveyances, assignments, transfers, bequests and devises thereof, is or are declared limited, expressed or intended; and further, said corporation shall have all the rights, franchises and powers which by law pertain to corporations, the right to hold and possess real and personal property, yielding a net annual income not exceeding twenty thousand dollars, and the same to dispose of at pleasure; but said limitation not to be construed as including the annual or periodical collections and voluntary contributions made in the churches under the care of said General Assembly, or contributions from any other source: *Provided*, That in cases where special instructions for the management and disposal thereof shall be given by the General Assembly, in writing, under the hand of their clerk, it shall be the duty of the said corporation to act according to such instructions. Rights and privileges.

SECTION 3. That no misnomer of said corporation shall defeat or annul any gift, grant, devise or bequest to or from said corporation: *Provided*, That the intent of such gift, grant, devise or bequest shall sufficiently appear that the same was intended to pass to or from said corporation. Misnomer.

SECTION 4. That said corporation shall have power to adopt and use one common seal, and the same to break, alter, amend and renew at pleasure. Seal.

SECTION 5. That said corporation, by the name, style and title aforesaid, shall be able to sue and be sued, to plead and be impleaded in any court of law or equity, or before any alderman or justice of the peace, in all manner of suits, complaints, pleas, Powers.



matters and demands of whatever nature, kind or form the same may be.

By-laws.

SECTION 6. That said corporation shall have full power to make, pass and establish by-laws, for the proper administration of the funds and the due government of said corporation: *Provided*, That said by-laws be not repugnant to the constitution and laws of the United States, or the constitution or laws of this commonwealth.

Proviso.

Board of trustees

SECTION 7. That said corporators shall compose the board of trustees of said corporation until the next regular meeting of the General Assembly of the United Presbyterian church of North America, when two trustees in addition shall be elected by said General Assembly, who, with said corporators, shall constitute thereafter a full board of trustees, who shall be divided into three classes, of three members each, in alphabetical order, and whose term of office shall expire as follows, to wit: The term of office for the first class shall expire on the first Tuesday of July, Anno Domini one thousand eight hundred and sixty-one; the term of office for the second class shall expire on the first Tuesday of July, Anno Domini one thousand eight hundred and sixty-two; and the term of office for the third class shall expire on the first Tuesday of July, Anno Domini one thousand eight hundred and sixty-three; further, the said General Assembly shall, at their regular meeting in the year one thousand eight hundred and sixty-one, and annually thereafter, elect three persons to serve as trustees, to supply the places of those whose term of office shall expire as aforesaid: *Provided however*, That on failure to elect trustees, as aforesaid, or in case of death, resignation or other inability, those remaining in office shall have full power to fill such vacancies until the next regular meeting of said General Assembly.

Terms of members of board of trustees.

Proviso.

Quorum.

SECTION 8. That five members of this corporation shall constitute a quorum, and be a sufficient number to transact the business of said corporation, to make by-laws, rules and regulations, whose regular meetings shall be on the first Tuesdays of July, October, January and April: *Provided*, That previous to any special meeting of said corporation, not appointed by adjournment, it shall be the duty of the officer calling a meeting, to cause notice to be sent by mail to each member ten days prior to such meeting; and said corporation may, as often as shall be prescribed by the by-laws, elect from said board of trustees, a president, vice president, secretary, treasurer, or other officer.

Proviso.

Questions before the corporation, how to be decided.

SECTION 9. That all questions before said corporation shall be decided by a majority of the trustees present; and said corporation shall keep regular and fair entries of their proceedings, and a just account of their receipts and disbursements, in a book or books kept for that purpose; and the treasurer shall exhibit to said General Assembly, at each regular meeting, an exact state of the accounts of said corporation.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and sixty. WM. F. PACKER.



No. 627.

## A N A C T

To incorporate the Transit Life Insurance Company of Pennsylvania.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John M. Pomeroy, A. L. Hough, C. S. Kauffman, L. A. Mackey, Samuel Shock, Lewis Merrill, Thomas A. Scott, George T. Thorn, Martin J. Croll, Alexander H. Freeman, George W. Cass, William P. Brooks, Peter Parker, George W. Cummings, James B. Craig, Augustus Grueber, Coates Walton, and their present and future associates, shall be and are hereby created, constituted and declared to be a body politic and corporate, by the name of the Transit life insurance company of Pennsylvania, with power to effect insurances against loss of life from any cause, or from any accident by railroad, land or water carriage, or any other cause, with compensation for personal injury by non-fatal accidents, either for the whole of life or for any shorter term; and such insurance may be made for one or more persons, jointly or severally, or for the benefit of one or more persons, jointly or severally; and such insurance shall not be liable to the claims of the creditors of the person insured, but the same shall inure and be applicable exclusively to the sole use of the person or persons effecting such insurance, or for whose benefit the same shall be effected, or of their direct family or kindred; and the said company shall have power to establish rates of premium to be charged for such insurance, and to establish rules and regulations for the transaction of its business. The principal office of said company shall be located in the city of Philadelphia, but it may establish branch offices in such localities as may, in the judgment of the directors of said company, be deemed necessary for the transaction of its business.

Corporators.

Name.

Objects.

Location of office

SECTION 2. That the capital stock of this corporation shall be five hundred thousand dollars, with power to increase such capital stock to a sum not exceeding one million dollars, and that the capital stock of said company shall be divided into shares of one hundred dollars each; and books of subscription to said capital stock, or to such proportion thereof as from time to time may, by the directors for the time being, be deemed proper and necessary, shall be opened by the appointment or under the direction of the said directors, subject to such rules, limitations and conditions as by them shall be prescribed; and the stock of the said corporation shall be deemed and considered personal property.

Capital stock.

SECTION 3. The stock, property and affairs of the said corporation shall be managed and conducted by or under the direction of directors, who shall be stockholders in said company; and said directors shall hold their office for the term of three years, except as provided in section four of this act; and that

Management.

Terms of office.

- Notice of election to be published. notice of such election shall be given in at least two of the public newspapers printed in the city of Philadelphia, at least fourteen days previous to the time of holding such election; and every such election shall be by ballot, and by such of the stockholders as shall attend for that purpose; each stockholder shall be entitled to one vote for each share of the stock which he or she may have held in his or her own name for at least fourteen days previous to the time of voting, and the persons having the votes of a majority of the stock shall be the directors; and if it should happen that two or more persons shall have an equal number of votes, the directors in office at the time of such election shall, by plurality of votes given by ballot, determine which of the persons so having an equal number of votes shall be director or directors, so as to complete the whole number to be chosen; and if any director shall cease to be a stockholder in said company, or shall resign, his office shall be vacant; and whenever any vacancy shall so occur, the same shall be filled by a majority of the remaining directors for the unexpired term.
- Votes.
- Vacancies.
- First directors. SECTION 4. That the corporators named in the first section of this act shall be the first directors of this company, and shall hold office until others are chosen in their places; any of the said directors, on resigning, shall designate the person or persons to fill the vacancy or vacancies for the unexpired term; vacancies by death shall be filled by a majority of the remaining directors, for the unexpired term; an election of directors
- Annual election. shall be held annually, on the first Wednesday in December, at such place as shall be designated by the existing board of directors; and the said first board of directors shall, at their first meeting, determine by lot the tenure of office of each member, as follows: One-third to hold office for one year, one-third to hold office for two years, and one-third to hold office for three years, in such manner that one-third, or as nearly as may be one-third, of the whole board of directors shall retire each year: *Provided*, That nothing contained in this act shall be construed to prevent the re-election of any director whose term of office shall have expired.
- Proviso.
- Officers, election of. SECTION 5. That the board of directors shall, at their first meeting, proceed to the election, from their number, of a president, vice president and secretary, who shall hold office until their successors are elected; and such first meeting shall be held within thirty days from and after the passage of this act.
- By-laws. SECTION 6. That the said board of directors shall have power to make, alter and amend such by-laws and regulations, not inconsistent with this charter or the laws of this state, as may be deemed expedient for the government of its officers and the conduct of its affairs.
- Individual liability. SECTION 7. That each stockholder in the company formed under this act, shall be individually liable to the creditors of this company, to an amount equal to the amount of stock held by him or her, for all the debts and liabilities of such company, until the whole amount of the capital stock so held by him or her shall have been paid in to the company; and all the stockholders of said company shall be jointly and severally liable for all the debts due or owing to any of its officers or servants for services performed for said corporation, but shall not be liable for any

action therefor before an execution shall be returned unsatisfied, in whole or in part, against said corporation, and then the amount due on such execution shall be the amount recoverable, with costs, against such stockholders.

SECTION 8. That the directors may require payment of subscriptions of the said capital stock at such times and in such proportion as they may deem proper, under the penalty of forfeiting all stocks and previous payments thereon. Notice of the time and place when such payments shall be required, shall be published for three weeks successively, previous to such time, in two of the daily newspapers published in the city of Philadelphia.

Payment of subscriptions to stock.

SECTION 9. The capital stock of the said company shall be invested upon bond, secured by mortgage upon unincumbered real estate, and the real estate to secure such investment shall, in every case, be worth double the amount loaned thereon; and it shall be lawful for said company to invest any part of the premiums received, not exceeding one-half thereof, in the stock or bonds of the United States or of this state, or of any city within this state, or in stocks or bonds which are created trust funds by law in this state, and to loan the same, or any part thereof, on the security of said stock or bonds.

Investment of capital.

SECTION 10. The real estate which it shall be lawful for the said corporation to purchase, hold and convey, shall be,

Real estate which may be held and conveyed.

I. Such as shall be requisite for its immediate accommodation or the convenient transaction of its business.

II. Such as shall have been mortgaged to it in good faith, by way of security for loans previously contracted, or for money due.

III. Such as shall have been conveyed to it in satisfaction of debts previously contracted in the course of its dealings; or

IV. Such as shall have been purchased at sales upon judgments, decrees or mortgages obtained or made for such debts; the said corporation shall not purchase, hold or convey real estate in any other case, or for any other purpose; and all such real estate as shall not be necessary for the accommodation of the said company, in its business as aforesaid, shall be sold and disposed of within six years after the said company shall have acquired title to the same.

SECTION 11. The books of said corporation shall be open to the examination of any member thereof, during the usual hours of business.

Members may examine books.

SECTION 12. The said corporation shall annually, during the month of January, in each year, cause to be prepared, a general statement of its affairs up to and including the thirty-first day of December next preceding, which shall be entered in a book for that purpose prepared, which shall be subject to the examination of any member of the company, during the usual hours of business; such statements shall show—

Yearly statement, relative to.

I. The amount of premiums received, expenses incurred and losses sustained, during the said period.

II. The balance remaining in the hands of the said company.

III. The nature of the securities held by the said company, and the amount of cash on hand; and a copy of said statement, duly verified by the officers of said company, which shall be

transmitted to the auditor general of this state, within thirty days after the same shall have been prepared as aforesaid; this act shall take effect immediately.

SECTION 13. That the said company shall pay into the treasury of the commonwealth a bonus of one-half of one per centum on the capital stock of said company, and upon any increase thereof, payable in four equal annual instalments, the first payment to be made in one year from the date hereof.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 628.

## A N A C T

To incorporate the People's Insurance Company of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* James D. Whetham, Philip M. Price, John C. Miller, George W. Gorton, Thomas Webster, junior, Michael Kale, William F. Aldrich, Francis Walker and Bayard Robinson, are hereby appointed commissioners, who or a majority of whom are authorized and empowered, from and after the passage of this act, to establish an insurance company by the name, style and title of the People's insurance company, to be located in the city of Philadelphia, with a capital of fifty thousand dollars, with the privilege of increasing the same to two hundred thousand dollars, to be divided into shares of fifty dollars each; and the said company shall be organized and managed according to the provisions of an act to provide for the incorporation of insurance companies, approved the second day of April, Anno Domini one thousand eight hundred and fifty-six; and said company shall be empowered to effect marine and inland insurance on vessels, and to make all and every insurance appertaining to and designated in the first class specified in the said act, and shall have

the right to transact its business upon the mutual principle, in connection with its joint stock capital aforesaid.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-sixth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 629.

## AN ACT

To provide for the erection of a Boom in Crooked creek, Armstrong county, and to improve the Navigation thereof.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall and may be lawful for W. A. Burleigh, his heirs and assigns, to erect and maintain, at their own expense, a boom in Crooked creek, Armstrong county, at any point in said stream between Ross's mill and the mouth.

Boom may be erected.

SECTION 2. That it shall also be lawful for the parties aforesaid to clear out and remove any and all obstructions in said creek, so far as the same is a navigable highway; but in doing so, it shall not be lawful to enter upon private property, unless by the owner's consent.

To remove obstructions in creek.

SECTION 3. That it shall be lawful for the parties mentioned in the first section, to demand and charge for every saw-log or stick of other timber run into said boom, or floated down said stream, ten cents, which shall be applied towards the keeping up and attending said boom, and the improvement of navigation as aforesaid, and to no other purpose whatsoever: *Provided*, That no such tolls shall be demanded or paid until such navigation shall have been first materially improved by the persons mentioned in the first section of this act: *Provided also*, That all logs designed to be run below said boom shall be passed through said boom free from charge, and with as little delay as possible.

Charge on logs or other timber.

Proviso.

Proviso.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The thirteenth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.



No. 630.

## A N A C T

To empower Edward D. Trump to maintain a Sheer Boom and to erect a Harbor Boom in Pine Creek.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Edward D. Trump, of Porter township, Lycoming county, and his legal representatives, be and are hereby authorized to keep and maintain his present sheer boom or booms, at the point in Pine creek, in said township of Porter, known as Trump's Rocks, so as to admit at all times, a free, safe and easy passage for rafts and other crafts floating upon said creek, and to erect and maintain a harbor boom or booms, from the lower point of said Trump's island, down said Pine creek, a distance not exceeding one mile, and to erect piles, piers and guards along said creek, sufficient to make said harbor boom or booms safe and secure: *Provided*, That all laws now in force relating to the manner of declaring dams unsafe for navigation, public nuisances, and providing remedies for injuries to personal property thereby sustained, be and the same are hereby extended to the said sheer and harbor boom or booms: *Provided also*, That all logs designed for the booms below, shall be passed through said booms free of charge, and with as little delay as possible, but in no case shall logs be detained longer than twenty-four hours; and the said Edward D. Trump shall have the right to charge and collect the same tolls upon all loose logs that shall come into said boom or booms, excepting those logs destined for the booms below, that the Susquehanna boom company is authorized to charge by their act of incorporation.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.



No. 631.

## A SUPPLEMENT

To an act to incorporate the Pittston Gas Company, approved the fourteenth day of April, A. D. one thousand eight hundred and fifty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, it shall be lawful for the said company to increase their capital stock to the sum of fifty thousand dollars.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 632.

## A FURTHER SUPPLEMENT

To an act to incorporate the Penn Haven and White Haven Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That instead of a president and twelve directors, as required by the fourth section of the act, entitled "An Act regulating railroads," it shall be lawful for the stockholders of the Penn Haven and White Haven railroad company to elect a president and six managers, for managing the affairs and business of the said company; and at the time for electing a president and managers, the stockholders shall also elect a treasurer and secretary of the said company; and the said election shall be held on the fourth Monday in January, in every year.

SECTION 2. That the Penn Haven and White Haven railroad company shall have authority to construct a railroad from any point along the valley of the Lehigh, at or below the mouth of the Quakake creek, in the county of Carbon, to any point upon

Election of officers.

To construct road.  
Route.

the Lehigh and Susquehanna railroad, in Luzerne county, with authority to connect the same with any adjacent railroad; and for the purpose of completing the communication, the said company shall have authority to purchase any such railroad, or any part thereof.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 633.

## A N A C T

For the relief of Hibernia Fire Engine Company, of Philadelphia.

WHEREAS, The said Hibernia fire engine company was duly incorporated by the court of common pleas of the city and county of Philadelphia, on the twentieth day of September, Anno Domini one thousand eight hundred and forty-one:

*And whereas,* The charter granted by the said court was not recorded until the third day of June, Anno Domini one thousand eight hundred and fifty-nine, in miscellaneous book R D W, number one, page six hundred and eighty-four, between which dates the said company acquired certain real estate by purchase, subject to a mortgage, and entered into other contracts, and doubts are entertained as to their legality, by reason not only of the omission to record said charter before such purchase, but that it does not contain sufficient power for that purpose; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all the contracts of the said company, since its incorporation by the court aforesaid, shall be deemed to be as good and available in law, and the title to said real estate as perfect as if done and obtained after the recording of the said charter, and as if said charter contained sufficient authority therefor; and that the said company shall be able to sue and be sued, implead and be impleaded in all courts of record or elsewhere; and to purchase, receive, have, hold and enjoy, to them, their successors, lands, tenements, rents, annuities, privileges and hereditaments, goods and chattels, of what nature, kind or quality soever, real, personal or mixed, or choses in action, and the same from time to

time to sell or mortgage, grant, alien or dispose of: *Provided*, That the clear yearly value or income of the real and personal estate of said corporation shall not exceed the amount of two thousand dollars, as is provided by said charter.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-seventh day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 634.

## A N A C T

To authorize the Trustees of the Greenville Academy, in the county of Montgomery, to sell certain Real Estate.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the trustees of the Greenville academy, in the county of Montgomery, are hereby authorized and empowered to sell at public or private sale, the academy building and lot of ground, in the village of Greenville, with the appurtenances, for the best prices that can be obtained, and convey the same to the purchaser in fee simple.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 635.

## A N A C T

To authorize the Trustees of the Presbyterian Church of Middletown, to sell and convey certain lots of ground.

WHEREAS, The Presbyterian church of the borough of Middletown is in possession of two contiguous lots of ground in said borough, known and designated in the plan thereof, by the numbers ninety-four and ninety-five, containing in front on High street, sixty-six and two-thirds feet each, and in depth one hundred and twenty feet, which two said lots were granted, and have been held for use as a burying ground, from a period anterior to the commencement of the present century:

*And whereas*, The practice of burying the dead within the limits of populous towns has become almost obsolete, so that the reservation of the said ground for such purpose is no longer useful or necessary, either to the said church or to the community at large, and the intentions of the grantors will be more efficiently carried out by authorizing the trustees of said church to sell and convey the same, and appropriate the proceeds to such uses as, in their opinion, may best advance the cause of religion in their community; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the trustees of the Presbyterian church at Middletown are hereby authorized and empowered to sell and convey, to any purchaser or purchasers, the two aforesaid contiguous lots of ground, bounded on the east by property of the devisee of the late Jonas Metzgar, deceased, on the west by property of George Smuller, on the north by High street, and on the south by property of George Smuller, and to appropriate the proceeds of such sale, after the expense of removal of the dead therein interred has been defrayed, to the payment of the debts of said church, and if any balance should thereafter remain, it shall go into the hands of the treasurer of said church, for the general uses of the association.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 636.

## A N A C T

Authorizing the Trustees of the First Disciples Congregation, of the city of Allegheny, to sell certain Real Estate.

WHEREAS, The building lately occupied as a place of worship by the First Disciples congregation, of Allegheny city, has been destroyed by fire, and it is desirable to procure a more suitable lot on which to re-build the same; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the trustees of the First Disciples congregation, of the city of Allegheny, be and they are hereby authorized and empowered to sell and convey, in fee, to the purchaser thereof, all that certain lot situated on the bank of the Allegheny river, on the west side of Bank lane, in Allegheny city, and the same that was conveyed to said trustees, by deed, from Samuel Church and wife, dated the thirty-first day of October, Anno Domini one thousand eight hundred and thirty-nine, and to apply the proceeds of said sale to the erection of a new church building for the use of said congregation.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-eighth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 637.

## A N A C T

To authorize the First Society of the Methodist Episcopal Church, in the borough (now city) of Erie, to sell Real Estate.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the corporation now known as the First society of the Methodist Episcopal church, in the borough of Erie, be and the same is

hereby authorized and empowered to sell, convey and assure into William C. Curry, his heirs and assigns, in fee simple, at private sale, a certain lot or piece of land, in the city of Erie, numbered in the original plan or draft of the first section of the town of Erie with the number one thousand nine hundred and twenty-eight, (1928,) and in its corporate capacity (by the action of the trustees thereof in the premises) to make, execute and deliver unto the said William C. Curry, his heirs and assigns forever, as aforesaid, all and any necessary and proper deed or deeds, in pursuance of said sale and purchase, signed by the president of the board of trustees of said corporation, on behalf of the same, and attested by the secretary thereof, with the corporate seal of the same thereunto duly affixed.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 638.

## AN ACT

To authorize the surviving Trustees of the Presbyterian Church in the borough of Beallsville, in the county of Washington, to sell the Church Property.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the surviving trustees of the Presbyterian church in the borough of Beallsville, Washington county, be and they are hereby authorized and empowered to sell and convey the church building, with the lot attached, to the school directors of said borough, or to any person or persons willing to purchase the same, at such payments and on such terms as to them may seem just and equitable, and to convey the same in fee simple, with the appurtenances thereunto belonging.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.



No. 639.

## AN ACT

To incorporate the Guthsville Association for the Improvement of the Breed of Stock, located in South Whitehall township, Lehigh county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That James F. Kline, George J. Snyder, Dr. Joshua Kern, Daniel Kemerer, John Snyder, Daniel Stettler, their associates and successors, be and they are hereby created a body politic and corporate in law, by the name, style and title of the Guthsville association for the improvement of the breed of stock, located in South Whitehall township, Lehigh county, with a capital stock of ten thousand dollars, in shares of twenty-five dollars each, and shall possess all the powers and privileges, and be subject to all the restrictions of an act incorporating the New Castle park association, of Lawrence county, approved February twentieth, Anno Domini one thousand eight hundred and fifty-eight.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 640.

## A SUPPLEMENT

To the act Consolidating the city of Philadelphia, in relation to the collection of taxes in the Twenty-third ward of said city.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the receiver of taxes of the city of Philadelphia shall appoint one suitable person, who shall serve for two years, and every two years thereafter, shall appoint one suitable person to serve for the same time, as receiver of taxes of the Twenty-third ward of the city of Philadelphia, who shall be furnished with

Ward receiver of  
taxes, appoint-  
ment of.

duplicate books of the assessment of said ward, at the same time that the books are furnished to the general receiver by the commissioners.

To give bond.

SECTION 2. That the said ward receiver shall give bond to the city with good and sufficient security, in the sum of ten thousand dollars, for the faithful collecting and paying over to the general receiver of taxes, all money so received, accompanied by a list of the parties so paying, the amount of valuation, with the amount of city and state taxes so paid, opposite to each name, once in every week during the current year for which said tax shall have been levied.

To be a citizen of the ward.

SECTION 3. That the said ward receiver shall be a citizen of the Twenty-third ward, and shall have an office conveniently located in said ward, and it shall be his duty to keep said office open during business hours, for the purpose of receiving the taxes of persons wishing to pay the same; and the said ward receiver shall receive from the city treasurer, by warrant drawn by the general tax receiver, as compensation for his services, the rate and amount of one and one-half per centum of all moneys received by him during the current year for which the same shall have been levied, in lieu of the salary now paid to the clerk of the Twenty-third ward, in the general receiver's office, whom this ward receiver is to supersede.

When to enter upon duties.

SECTION 4. That the receiver, so appointed, shall enter upon the duties of his office, at the same time as the general receiver of taxes elect shall enter upon the duties of his office, and shall be accountable to the general receiver for all taxes received by him as provided in section third.

Collection of delinquent taxes, compensation for, &c.

SECTION 5. That the said ward receiver shall collect all the delinquent taxes of said ward, but shall receive no compensation from the city for the collection of the same, but shall charge and receive from each such delinquent, the rate and amount of five per cent. on all such tax, and seventy-five cents on each bill, and no more, except in case of distress for the collection of the same; then he shall be allowed to charge, in addition to the above, the same costs as is allowed to the constables of said city, in cases of distress for rent, et cetera; he shall be allowed to charge the rate of three cents per mile circular measurement, to be but once charged to each delinquent; and any greater charge in any case than above recited, shall be considered a misdemeanor, and shall be punished in like manner as is provided for in the case of the sheriff for a like offence; and the said receiver shall have all the powers now vested in the collectors of delinquent taxes of the city of Philadelphia, but no distress shall be made in any case, until he shall have served a printed notice upon the delinquent or tenant, or some adult member of his family, stating that if the amount be not paid within thirty days, distress will be made therefor, and for the costs, giving the amount of such tax and costs, nor until after such time has expired.

Payment of taxes into office of general receiver, relative to.

SECTION 6. That if taxes be paid into the office of the general receiver, after the bills have passed into and remain in the hands of the said ward receiver, the general receiver shall collect the same costs which would have been then payable to the ward receiver, if the money had been received by him, and shall pay

them over to the said ward receiver; and the general receiver shall pay to the said ward receiver fifty cents, by draft on the treasurer, for every case where he shall have reported the proof of a tax having been paid or discharged by judicial sale, and which had not been entered upon the receiver's books or registry of taxes, as having been paid; and whenever said ward receiver shall ascertain the true owner of a vacant lot to be a different person than the person in whose name the assessment was made, he shall receive the sum of fifty cents, by draft on the treasury as provided for the proof of a tax having been paid, and the general receiver shall cause such alteration to be made on the books in his office.

SECTION 7. That all laws or parts of laws inconsistent with this act, be and the same are hereby repealed. Repeal.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The third day of May, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 641.

## A N A C T

To incorporate the United Presbyterian Church of Brownsdale, in the county of Butler.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the members of the United Presbyterian congregation of Brownsdale church, in the county of Butler, are hereby erected into a body corporate, in deed and in law, by the name and style of "The United Presbyterian church of Brownsdale;" and by the same name shall have perpetual succession, and be able to sue and be sued in all the courts of law and equity within the commonwealth of Pennsylvania or elsewhere; and shall be able and capable, in law and equity, to take and hold lands and tenements, goods and chattels, of whatever kind, nature or quality, real, personal or mixed, which are now or hereafter shall become the property of said congregation, by gift, grant, bargain, sale, conveyance, demise, bequest or otherwise howsoever, from any person or persons whomsoever, capable of making the same, and the same to grant, bargain, sell, convey or dispose of: *Provided,* That the yearly value or income of said real and personal estate

*Corporators.*  
*Style.*  
*Powers.*  
*Proviso.*

shall not at any time exceed the sum of five thousand dollars:  
*And provided*, That the church and graveyard belonging to said congregation shall never be sold, unless a majority of all the members of said congregation shall consent to the sale thereof.

SECTION 2. That the affairs of said corporation shall be managed and superintended by three trustees, to be chosen from among the members of said congregation, who shall choose from among their own number a president and secretary, and shall also choose a treasurer from among the members of said congregation who is not a trustee, and who shall, if required by the trustees, give sufficient security for the faithful discharge of his duties as treasurer; and in case of the removal of a trustee or trustees, by death, resignation or otherwise, the vacancy shall be supplied by the remaining trustee or trustees until the next regular election, when a trustee or trustees shall be elected to fill such vacancy; and the following named persons shall be trustees until others shall be elected, to wit: S. C. Douthett, B. S. Douthett and James Maharg.

SECTION 3. That the first election to be held in pursuance of this act, shall be conducted by three members of said congregation, to be chosen by the trustees; which election shall be held within sixty days from the passage of this act; and all subsequent elections at such place and times, and shall be conducted in such manner, and the trustees elected for such length of time as may be prescribed by the by-laws.

SECTION 4. That the said trustees, and their successors, shall have power and authority to make, have and use one common seal, with such device as they shall think proper, and the same to alter at their pleasure; they shall have power to enact and enforce such by-laws and ordinances as may be proper and necessary for the regulation and transaction of the business of said corporation: *Provided*, That said by-laws and ordinances shall not be inconsistent with the constitution and laws of this commonwealth or of the United States, and that the same be approved by a majority of all the members of said congregation, at any regular or special meeting called for that purpose.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 642.

## A N A C T

To incorporate the Allegheny Free Bridge Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Josiah King, John F. Jennings, John E. Parke, Edward Gregg, Samuel H. Hartman, Alexander Nimick, John Atwell, Alexander Speer, Robert T. Kenedy, Joseph Kirkpatrick, Andrew D. Smith, Samuel George, Morris Jones, Robert Ashworth, Samuel Riddle, J. G. Coffin, S. Schoyer, Jr., Thomas A. Rowley, James P. Barr, George Breed, James M. Cooper, George W. Cass, William H. Smith, Robert Patrick, W. W. Patrick, George S. Swartz, J. Heron Foster, Thos. M'Cause, James Patton, A. Marshall, Peter Mertz, John Swan, John Brown, W. J. Morrison, John Magran, James Lockhart, Thos. Brown, W. H. M'Gee, S. H. Geiger, J. M. Pennock, James Floyd, R. H. Patterson, Hugh M'Neil, Andrew Davidson, Jas. Longmore, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company, by the name and style of the Allegheny Free bridge company, for the purpose of building a bridge over the Allegheny river, opposite Pitt street or Irwin street, in the city of Pittsburg, in the county of Allegheny, which shall be free for all pedestrians. Commissioners.

SECTION 2. The capital stock shall consist of three thousand shares of twenty-five dollars each, but the directors may increase the same to any sum, not exceeding one hundred and fifty thousand dollars, whenever they may deem it necessary for the purposes of the corporation. Capital stock.

SECTION 3. That the said commissioners, or a majority of them, shall give at least three weeks' notice, in three or more, daily newspapers published in said city, of the time and place at which the books will be opened for the purpose of receiving subscriptions of stock, at which time and place the books shall be opened, and kept open for five hours each day, Sundays excepted, or until fifteen hundred shares shall have been subscribed: *Provided*, That no subscription shall be received unless two dollars and fifty cents shall be paid in, upon each share, at the time of subscribing the same. Subscriptions to stock.

SECTION 4. That as soon as fifteen hundred shares shall have been subscribed, and two dollars and fifty cents per share paid in, as aforesaid, the said commissioners, or any five of them, shall certify, under their hands and seals, the names of the subscribers and the number of shares subscribed by each, to the governor of the commonwealth, who shall thereupon, by letters patent, under his hand and the seal of the state, create and erect the said subscribers, their associates, successors and assigns into a body politic and corporate, under the name, style and title of the Allegheny Free bridge company, and by the same name they When letters patent to be issued.



- Powers.** shall have perpetual succession, and all the privileges and franchises incident to a corporation; and shall be capable of taking and holding the capital stock, and the increase and profits thereof, and of purchasing and holding, and of selling, transferring and conveying, in fee simple or for any less estate, all such lands and estates, real and personal, as shall be necessary to them in the prosecution of their work; and of suing and being sued, and of doing all and every other matter and thing which a corporation or body politic may lawfully do.
- Organization.** SECTION 5. That the six persons first named in the letters patent of incorporation shall, as soon as conveniently may be after sealing the same, give notice in two of the public newspaper printed in the county of Allegheny, of a time and place by them to be appointed, not less than thirty days from the time of issuing the first notice; at which time and place the said subscribers shall proceed to organize the corporation, and shall choose by a majority of votes of the said subscribers, taken by ballot, to be delivered either in person or by proxy, duly authorized, one president, ten managers, one treasurer, one clerk, and such other officers as they may think necessary to conduct the business of the company during the year, and until other officers be chosen; and may make such by-laws, rules, orders and regulations, not inconsistent with the constitution and laws of this state or of the United States, as may be necessary for the well ordering the affairs of the company; *Provided always*, That no person shall have more than five votes, whatever number of shares he may be entitled to, and each person shall be entitled to one vote for each share by him held under that number.
- Election of officers.**
- By-laws.**
- Proviso.**
- Votes.**
- Annual meeting and election.** SECTION 6. That a public meeting of the said stockholders shall be held on the first Monday of May, next following the first election had as aforesaid, and on the first Monday in May, in every succeeding year, at such place as shall be fixed by the rules and orders of the said company, for the purposes of choosing officers for the ensuing year, and the determination of any question affecting the interests of said company.
- Certificates of shares, relative to.** SECTION 7. That the president and managers shall procure printed certificates for all the shares of stock in the said company, which shall be signed by the president, countersigned by the treasurer, and sealed with the seal of the corporation, and each subscriber shall be entitled to one such certificate for each share by him subscribed for, when the price of such share shall have been fully paid to the treasurer, whose receipts for the various instalments thereof, shall be surrendered to the said treasurer upon receiving the said certificate; which certificate shall be transferable either by the owner in person, or by his attorney, duly authorized, in the presence of the president or treasurer for the time being, and the persons to whom such transfer shall be made, shall stand in the place of the former holder of the certificate, and be entitled to the same privileges in the company: *Provided*, That transfers made within ninety days of the annual election of officers and managers, shall not entitle the persons to whom such transfer shall be made to vote at such election: *And provided further*, That transfers of stock made before all the instalments are paid, shall be made subject to the payments due or that may grow due thereon.
- Transfer of certificates.**
- Proviso.**
- Proviso.**



SECTION 8. That the president and managers shall meet at such times and places, and be convened in such manner as shall be agreed on, for transacting the business of the company; at which meeting five members shall be a quorum, who, in the absence of the president, shall choose a chairman, and shall keep minutes of their proceedings, to be fairly entered in a book to be kept for that purpose, and a quorum being met, they shall have full power and authority to appoint such engineers, superintendents, assistants and workmen, as they shall deem necessary to the erection of the said bridge, and they shall fix their salaries and wages; they shall also have power to make contracts, to ascertain the times, manner and proportion in which the stockholders shall pay the money due on their respective shares, to draw orders on the treasurer for the money necessary to pay salaries, wages and bills for work and labor done and performed or materials furnished, which orders shall be signed by the president, or in his absence, by a majority of a quorum, and countersigned by their clerk, and to do and transact all such other matters and things as by this act or by the by-laws of the company shall be committed to them.

Meeting of president and managers.

Quorum.

Further powers and authority.

SECTION 9. That if any stockholder, after thirty days' notice in two of the public newspapers printed in the county of Allegheny, of the time and place appointed for the payment of any proportion or instalment of the said capital stock still due on each share, shall neglect to pay the same for the space of thirty days after the day whereon the same shall be appointed to be paid, every such stockholder shall, in addition to the instalment so called for, pay at the rate of five per cent. per month for every delay of such payment; and if the same, and the said additional penalties, shall remain unpaid so long that the accumulated penalties shall become equal to the sum already paid on such share, the same shall be forfeited to the company, and may be sold under the direction of the president and managers, or a majority of a quorum of them, at any of their meetings for transacting the business of the company; the order for that purpose being first entered in the minute by the clerk at such meeting.

Payment of instalments, relative to.

SECTION 10. That it shall be lawful for the said company, their superintendents, engineers, agents and workmen, to enter upon, use and occupy any street or streets, or portions thereof, in the said cities of Pittsburg and Allegheny, that may be necessary for the purpose of erecting and perfecting the said bridge, and for making all the necessary works and causeways to and from the same; and it shall be lawful for the said company to contract with the owner or owners of ground, for the purchase of so much thereof as shall be necessary for erecting and perfecting said bridge; and in case they cannot agree with said owner or owners as to the price thereof, then it shall and may be lawful for the said company to apply to the court of common pleas of said county, who are hereby authorized and required to appoint three discreet and disinterested freeholders of this state, who, after viewing the said ground, shall estimate the value of the ground so necessary to be taken as aforesaid; and having estimated the advantages, as well as the disadvantages, which may be sustained by the owners of said ground, the same shall be returned to the said court, with a description of the said

May occupy and enter upon streets.

Contracts with owners, &c.

Settlement with owners of land, &c., relative to.

ground, and the buildings that may be erected thereon; and the said appraisement, having been confirmed by the said court, shall be filed in the clerk's office of said court; and the said company having paid to the said owners, respectively, the several sums awarded to be paid to them, together with the costs of the appraisements, the said corporation shall be entitled to have and to hold, to them, their successors and assigns, the said ground, as fully as if it had been granted by the respective owners thereof; and thereupon, but not before, it shall be lawful to commence the erection of said bridge: *Provided always*, That the said company shall open Duquesne way, in Pittsburg, and Bank lane, in Allegheny city, across the portion of streets occupied by the said bridge, so that vehicles may traverse the same without hinderance and obstruction.

Proviso.

Accounts to be submitted annually to general meeting.

SECTION 11. That the said president and managers shall keep, or cause to be kept, fair and just accounts of all receipts, payments and moneys still due to, from or on part of the said company, and shall submit the same, at least once in every year, to a general meeting of the stockholders; and whenever it shall appear manifestly to the said president, managers and company, at any such general meeting, or at a special meeting convened for that purpose, according to the provisions of this act, or of the by-laws of the company, that the proposed bridge cannot be completed without extending the number of shares, the same shall be extended, under the direction of such meeting, as far as may be necessary to complete the proposed bridge; which additional shares shall be sold and regulated in all respects, and be attended with the same rights and privileges as the original shares are herein, or by the by-laws of the company, directed to be; and in case sufficient means should not be received from the sales of stock aforesaid, together with the funds in hand, to meet the expenditures for the construction of said bridge, the

May extend number of shares of stock.

May issue bonds.

said president and managers may issue coupon bonds, under the seal of said company, to the amount of fifty thousand dollars, bearing interest at the rate of six per cent. per annum, convertible into stock, at the option of the holder, and with the consent of the corporation, and redeemable in ten years after their issue: *Provided always*, That the capital stock of said company shall not exceed the sum of one hundred and fifty thousand dollars, divided into shares of twenty-five dollars each.

Proviso.

Construction of not to obstruct navigation.

SECTION 12. That the said company shall construct their bridge in such manner as not to obstruct the navigation of the river; no more than three piers shall be used, and the distance between the piers shall be at least three hundred feet.

To be free for persons on foot.

SECTION 13. That when the said company shall have constructed a bridge according to the provisions of this act, the property of the same shall be vested in the said company; and the said bridge shall be and remain forever free for all persons crossing the same on foot; but the said company shall have the right to erect gates, and to demand and receive tolls for all descriptions of vehicles, horses, mares, geldings, mules, cattle, sheep and swine that may pass over said bridge, at rates not exceeding those now allowed by law to other companies, for erecting bridges over said river at Pittsburg: *Provided*, That the rates of tolls shall be so regulated that the revenue derived there-

Tolls.

Proviso.

from shall in no year exceed a sum sufficient to pay six per cent. interest upon the actual cost of constructing said bridge, and the current expenses of attending to and keeping the same in good repair: *And provided further*, That no toll shall be exacted from persons attending funerals or in procession on public parade. Proviso.

SECTION 14. That if the said company, their successors or assigns, or any person employed by them, shall collect or demand tolls from pedestrians, or shall neglect to keep the said bridge in repair, he or they shall, for every such offence, forfeit and pay twenty dollars, one half thereof for the use of the poor of the county of Allegheny, and the other half for the use of the person suing, to be recovered as other debts are now recoverable by law; either party to have the right of appeal to the court of common pleas. Penalty for collecting toll of pedestrians, or neglect to keep bridge in repair.

SECTION 15. That the said company shall keep a just account of all moneys received by their several collectors of tolls for crossing the said bridge; and shall declare and make a dividend of the income and profits thereof, among all the subscribers to the said company's stock, in proportion to their respective shares, first deducting all contingent costs and charges, and such proportion of the said income as may be sufficient for a fund to provide against the decay, the repairing or the re-building of the said bridge, as time and accident may render necessary; and shall on the first Monday of June, of every year, publish the dividend to be made of the clear profits arising from the tolls among the stockholders, and of the time and place where and when the same shall be paid, and shall cause the same to be paid accordingly: *Provided*, That the dividends declared to stockholders shall never exceed six per centum per annum. To keep just accounts of all tolls

SECTION 16. That if any person or persons shall wilfully pull down, break or destroy, with intent to injure, any part or parts of the said bridge, or any toll-house, gates, bars or other property of the said corporation, appurtenant to or erected for the use and convenience of the said bridge, or the persons employed in conducting the business thereof, or shall wilfully, and without the consent and orders of the said corporation, or any person or persons authorized by them, deface or destroy the letters or figures, or other characters in any written or printed list of the rates or tolls affixed in any place or places, for the information of passengers and others, or who shall wilfully and maliciously obstruct or impede the passage on or over the said bridge, or any part or parts thereof, he, she or they so offending, shall each of them forfeit and pay, for every such offence, to the said corporation, the sum of thirty dollars, to be sued for and recovered before any justice of the peace as debts of like amount are recoverable; and he, she or they so offending, shall remain liable to actions at the suit of said corporation for such wrongs, if the said sum or sums, herein mentioned, be not sufficient to repair and satisfy such damage: *Provided always*, That no such suit shall be brought unless within thirty days after such offence shall have been committed. Dividends.

SECTION 17. That if the said company shall not proceed to carry on the said work, within the space of two years from the passing of this act, and shall not within the space of five years Fund for repairing, or re-building, relative to.

Proviso.

Limitation and reservation.

from the passing thereof, complete the said bridge, it shall and may be lawful for the legislature of the commonwealth to resume all and singular the rights and privileges hereby granted to the said company.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 643.

## AN ACT

Incorporating the North-Eastern Market Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* John Snyder, Charles H. Lukens, Watson Tumbleson, George Sauerman, James Pierson, William Lukens, James Thornton, of Philadelphia county; John Lloyd, William Yerkes, B. T. Hollowell, S. Powell Childs, Daniel Lloyd, Joseph W. Hollowell, Richard Roberts, Henry Stout, Albert R. Mann, Charles R. Roberts, William J. Hollowell, Daniel Carr, of Montgomery county; Jonathan Stackhouse, Joseph Bennett, Samuel Davis, Mitchell Woods, Joseph Paul, Joseph Barnsley, Joseph Meredith, Charles Kirk, Robert Ivins, Elisha Newbold, Harman Yerkes, Samuel Broadhurst, James Field, of Bucks county, and their associates, who may become stockholders in the company hereby incorporated, shall be and they are hereby declared to be constituted a body politic or corporate, by the name, style and title of the “Farmers’ North-Eastern market company;” to have perpetual succession; to be capable of suing and being sued; to have a common seal, and the same to alter and renew at pleasure; and to have, hold, receive, enjoy and take, in fee simple or upon ground rent, such real and personal estate as may by them be deemed necessary and proper for the ownership, and for the construction, and for the proper use and management and maintenance of a market house in the city of Philadelphia, with full power to sell, mortgage and create the necessary ground rent deeds, or convey the said real and personal estate.

SECTION 2. That the object and purpose of said corporation shall be to erect and maintain suitable building or buildings and stalls, with all other things necessary for the use thereof, at any

Corporators.

Style.

Powers.

Object and purpose.



place within the limits of the city of Philadelphia, east of Broad street, west of Third, and north of Callowhill street, the same to be occupied and used as a public market house, for the sale and vending of meats and vegetables, and all other kinds of victuals and provisions: *Provided*, That this act shall not be construed to prohibit persons who shall rent stalls in said market, who may send or carry the produce of their farms to market, from selling or exposing for sale, beef, mutton, veal, pork and poultry, in such quantities as they may desire, which may have been slaughtered on their farms, or butter, or cheese, or other articles manufactured or produced thereon for market; the said market building, the stalls, or any one or more or all of the same, to be leased, rented or disposed of to farmers and such others, and in such a manner, and upon such terms and conditions as the managers shall determine.

SECTION 3. The capital stock of said company shall consist of eight hundred shares of one hundred dollars each, with the privilege of increasing the same to any number of shares, not exceeding two thousand: *Provided*, The stockholders, at a general or special meeting, shall so determine.

SECTION 4. That the parties hereinbefore named, or any nine of them, may proceed to organize said company, and obtain subscriptions to the capital stock thereof; and after six hundred shares shall have been subscribed, by not less than two hundred persons, and at least five per centum paid in on said subscriptions, they shall provide, by advertisements in two or more weekly newspapers in the city of Philadelphia, and in two or more newspapers in each of the counties of Bucks and Montgomery, for at least two weeks, for the election of a board of nine directors, who shall serve until the second Tuesday of January next, and until their successors shall be duly elected; and annually thereafter, upon the second Tuesday of January, the stockholders shall elect a similar board of directors, to serve in like manner for one year, and until their successors shall be duly elected; and if, from any reason, any of said elections shall not be held at the time appointed, another time shall be appointed, according to the by-laws of said company, for said purpose, not more than two months later than said date; the directors so elected shall elect a president, secretary and treasurer from among themselves, and shall supply all vacancies in their board that may occur, by death, resignation or otherwise, until the next annual election; but no person shall be elected or appointed a director who shall not be at the time a practical farmer and stockholder in said company; and in every election for directors, each stockholder shall be entitled to one vote, by ballot, for each share of stock not exceeding ten shares, and for every additional ten shares, one vote, held by him or her in said company; but no stockholder, whether original subscriber or assignee, shall be entitled to vote at any election or meeting of said company, unless the whole sum due and payable on the share or shares by him or her held at the time, shall have been fully paid and discharged.

SECTION 5. The said directors shall have power to make and enforce such by-laws and ordinances as shall be necessary to carry out the true intent and meaning of this act. The stock-

*Provided.*

*Organization.*

*Election of directors.*

*Officers to be elected.*

*Vacancies.*

*Director to be a practical farmer.*

*Votes.*

*By-laws.*

holders of said company shall only have a right to assign or  
 Transfer of stock. transfer his or her share or shares of stock on the books of the  
 company, according to such rules and regulations as shall be de-  
 termined on by the directors.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thou-  
 sand eight hundred and sixty.

WM. F. PACKER.

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No. 644.

## A N A C T

To incorporate the Farmers' Mutual Fire Insurance Company.

SECTION 1. *Be it enacted by the Senate and House of Represen-  
 tatives of the Commonwealth of Pennsylvania in General Assembly  
 met, and it is hereby enacted by the authority of the same, That*  
 William Weskiman, C. G. Lamb, Christian Krumpie, Jacob  
 Beck, G. E. Leithold, Henry Schoffer, John G. Lensnerey, G. G.  
 Grobe, August Koeghr, B. Berninger, J. Christian Bauman and  
 George Keck are hereby appointed commissioners, who, or a  
 majority of whom, are authorized and empowered, from and  
 after the passage of this act, to establish an insurance company  
 by the name, style and title of the Farmers' mutual fire insu-  
 rance company, to be located in Saxonburg, in Butler county;  
 to be organized and managed according to the provisions of an  
 act approved the second day of April, Anno Domini one thousand  
 eight hundred and fifty-six, and shall be limited to the risks  
 designated in the first class in the seventh section of said act, and  
 shall transact business upon the mutual principle exclusively.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-third day of March, Anno Domini  
 one thousand eight hundred and sixty.

WM. F. PACKER.



No. 645.

## A N A C T

To incorporate the Washington Mutual Fire Insurance Company of Lebanon, Lebanon county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Jacob Weidle, Jacob Readell, William Shirk, D. S. Hammond, George F. Miller, Joseph Bowman, treasurer, Henry Fortney, Thomas Forster, Adolphus Reinoehl, John L. Becker, Christian Henry, Henry Bowman and Jacob Witmer, and all other persons who may hereafter associate with them, in the manner hereinafter prescribed, shall be a body politic and corporate, by the name, style and title of the Washington mutual fire insurance company of Lebanon, and by that name shall have perpetual succession, and may sue and be sued, and hold, purchase, receive and convey real and personal estate, with the limitations hereinafter specified, and may have and use a common seal, and alter or change the same at pleasure, and make by-laws, not inconsistent with the laws of this commonwealth, for the management of its property, the regulation of its affairs, and the rate, mode and manner of insurance; but nothing herein contained shall be construed to give unto the said corporation any banking powers or privileges.

SECTION 2. That in addition to the general powers and privileges of a corporation, as the same are declared by the foregoing section, the corporation hereby created shall have power to insure against losses by fire, upon any house, tenement, barn, manufactory, store, warehouse or other building, and on goods, furniture, wares, merchandize and effects, hay, grain, and other agricultural products contained there in, or insheds, out-houses or otherwise, and upon buildings generally, and to make, execute and perfect such instruments as shall or may be necessary, and as the nature of the case may require.

SECTION 3. That the real estate which it shall be lawful for the said corporation to purchase, receive, hold and convey, shall be,

I. Such as may be requisite for its immediate accommodation, in the convenient transaction of its business; or

II. Such as shall have been mortgaged to it in good faith, by way of security for loans previously contracted, or for moneys due; or

III. Such as shall have been conveyed to it in satisfaction of debts previously contracted, or in the course of its dealings; or

IV. Such as shall be purchased at sales upon judgments, decrees or mortgages obtained or made for debts due said company, or for debts due other persons, where said company have liens or incumbrances on the same, and the purchase is deemed

necessary to save the company from loss on the liens or incumbrances held by it, and said corporation shall not purchase, receive, hold or convey real estate in any other case, or for any other purpose: *Provided*, That no real estate acquired by the corporation, excepting that requisite for the transaction of its business, shall be retained by said corporation for a longer period than seven years.

Persons insuring  
to be members.

SECTION 4. That all persons who shall hereafter become insured in the said corporation, and also their executors, administrators and assigns, continuing to be insured in said corporation, in accordance with its by-laws, shall thereby become members for and during the period they shall remain so insured, and no longer.

First officers and  
managers.

SECTION 5. That all the corporate powers of the said company shall be exercised by a board of thirteen managers, and such officers and agents as they may appoint; the persons named in the first section of this act shall constitute the board of managers, and continue in office until the first Wednesday in January, Anno Domini one thousand eight hundred and sixty-

Annual election.

one, on which day, and on the same day of each year thereafter, the members of the corporation shall meet at such place in the borough of Lebanon, as the corporation in their by-laws shall appoint, for the election of a new board of managers, who shall continue in office for one year, or until others are elected in their stead; and on failure to elect on the day herein appointed for such annual election, the election shall be held as soon thereafter as practicable, public notice of the time and place thereof having been given by advertisement, in two newspapers published in the borough of Lebanon, ten days before holding the same.

How conducted.

SECTION 6. That every election for managers shall be by ballot, to be decided by a majority of the votes, and shall be conducted under the inspection of three members of the corporation, not managers nor candidates for any office in the corporation, to be appointed by the managers for that purpose; each member shall be entitled to one vote.

Officers.

SECTION 7. That the board of managers, for the time being, shall choose one of their number to act as president; they shall also annually appoint a secretary, a treasurer, and one or more surveyors, and from time to time agents, or such other officers, as shall be deemed necessary, for the purpose of conducting the affairs of the corporation; they shall fix the respective salaries and fees of the officers and agents by them appointed, shall have power to displace any such officers or agents, and to supply any vacancy which may happen by death, resignation or removal of any incumbent, either in their own board or in the officers or agents of the corporation; a majority of the board of managers shall constitute a quorum for the transaction of business.

Powers of.

Assessments for  
losses, relative to

SECTION 8. That in case of loss by fire, the managers shall have power to levy and assess the amount of said loss upon the persons insured in this corporation, *pro rata*, according to the amount or value of property insured by each respectively.

Location of office

SECTION 9. That the office of the said corporation shall be located in the borough of Lebanon.

SECTION 10. That the legislature may at any time alter or re-Reservation.  
peal this act; in such manner, however, as shall do no injustice  
to the corporators, or wrongfully affect any contract or engage-  
ment made by the corporation.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thou-  
sand eight hundred and sixty.

WM. F. PACKER.

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No. 646.

## A N A C T

To incorporate the Chestnut Ridge and Schellsburg Union Cemetery Asso-  
ciation.

WHEREAS, John Schell, late of the county of Bedford, de-Preamble.  
ceased, by deed dated the seventeenth March, Anno Domini one  
thousand eight hundred and seven, conveyed to the Lutheran  
and Calvinist congregations, on the waters of Shawnee creek, in  
said county, a tract of land, containing six acres and forty-six  
perches, situate on the south side of the old state road leading  
from Bedford to Stoystown, in formerly Bedford, now Napier  
township, Bedford county, in trust as a place of burial for said  
congregations:

*And whereas,* For the purpose of carrying out the true intent  
and meaning of the said trust, the said congregations desire the  
legislature to incorporate them into a cemetery association;  
therefore,

SECTION 1. *Be it enacted by the Senate and House of Represen-  
tatives of the Commonwealth of Pennsylvania in General Assembly  
met, and it is hereby enacted by the authority of the same, That*  
Abraham B. Bunn, David Miller, Jeremiah E. Black, William Corporators.  
Egolf, Samuel Corl, Jacob Poorman, William Rock, senior, John  
H. Schell, David Border, junior, John Smith, John Clark, An-  
drew J. Snively, Robert M. Taylor, Emanuel Statler, Henry V.  
Brämuell, Samuel G. Stabler, John S. Schell, Valentine Shoff,  
Abraham E. Shell, Frederick Miller, Peter Ewalt, Thomas H.  
Slack, Edward D. Garlinger, Frederick Hillegas, junior, Henry  
Mowry, of John, Henry Geyer and Daniel Horn, as members of  
the Lutheran and Calvinist congregations, on the waters of  
Shawnee creek, and the owners of burial lots in the burial ground  
conveyed to said congregations by John Schell, deceased, be and  
they and their successors are hereby created a body politic and

Name.	corporate, in law, under the name and title of the Chestnut Ridge and Schellsburg Union cemetery association ; and by that name
Powers.	shall have perpetual succession, and be able and capable in law to have and use a common seal ; to sue and be sued, implead and be impleaded, in all courts of law and equity, and to do all such other things as are incident to a corporation.
Annual election.	SECTION 2. That the said corporation shall, at least once in every year hereafter, fill by election, by ballot, all vacancies which may occur ; and may at the same time, or other times, increase and add to their number from those who may be lot-holders in the cemetery, so that the said company shall never be reduced to less than ten nor exceed twenty-five members ; and they shall have full power to ordain, establish and put in execution all such by-laws, rules and regulations, not contrary to the constitution and laws of the United States or of this state, which may be necessary for the proper government of this corporation, its officers and affairs, and until the election of trustees, shall exercise all the powers thereof.
By-laws.	
Trustees, election of.	SECTION 3. That the said corporators shall, at least once in every year, elect from their number five trustees, one of whom shall be designated as president, one as secretary and treasurer, who shall make a report of their proceedings, and a statement of the finances, at the annual meetings of the corporators, and as much oftener as may be required by a majority of the said corporators ; and that Peter Schell, John S. Statler, John Black and Peter R. Hillegas shall have authority to act as trustees until the first election of trustees : <i>Provided</i> , That the election for trustees shall be held in the church, on the cemetery grounds, on the first Saturday of June, of every year, or at such other place as may be fixed upon by the trustees.
Officers and duties of.	
Proviso.	
Further powers.	SECTION 4. That the said corporation shall have power to receive all and singular such gifts, bequests and donations of property as may be made, and to use the same for the benefit of the corporation ; to purchase, in addition to the land conveyed by the said John Schell, deceased, from the owner or owners thereof, any land in Napier township, Bedford county, not exceeding, in the whole, fifty acres ; and the same to lay out and ornament, and to divide and arrange it into suitable plots and burial lots ; remove and alter old and erect new buildings, and to do all other things, proper or necessary to be done, to adapt the said ground for the purposes of a cemetery ; and to sell and dispose of said plots and burial lots, in fee simple, or otherwise, for the purposes of sepulture to individuals, societies or congregations, without distinction or regard to sect, under such conditions, rules and regulations as the said corporators or trustees may establish for the government of lot-holders, visitors to the cemetery, and burial of the dead : <i>Provided</i> , That the lots granted by the said association, for burial lots, shall not be used for any other purpose ; and they shall be free from seizure, levy or sale, under or by virtue of any execution against any grantee or grantees of said association for such purpose.
Proviso.	
Duty and power of trustees.	SECTION 5. That the said corporators or the said trustees, after their election, shall have the power to appoint all other officers, agents and workmen which may be needful, and fix their compensation or wages, and the same to discharge at

pleasure; to take from the treasurer security for the faithful performance of his trust, and to discharge him from his office upon occasion therefor; and that the said trustees shall keep fair minutes of all their acts and doings, and fill any vacancies in their board which may occur from resignation or otherwise.

SECTION 6. That the said corporation shall be capable of holding so much personal property as may be necessary for the purposes of this incorporation; and it shall be the duty of the trustees to devote all the income, of whatsoever kind, to the purposes of the corporation; and after the sum of four thousand dollars shall have been received from the sale of lots, and expended in the payment for the cemetery grounds and improvement thereof, to set aside at least ten per centum out of the proceeds of all subsequent sales of lots, to be invested in ground rents, mortgages or stocks of the commonwealth of Pennsylvania, for the creation of a fund, the income of which shall be applied as may be necessary for the perpetual maintenance of the cemetery in proper order and security; and any failure in the duties aforesaid shall subject said trustees or corporators to the control of the competent judicial authority for correction.

Personal property, relative to.

Payment and improvement of grounds, &c.

SECTION 7. That the original conveyance of lots from the corporation to individuals may be evidenced, either by deed or by a certificate, signed by the president and countersigned by the secretary or treasurer, as by the rules and regulations or by-laws shall be required; and such deed or certificate, specifying that such a person is the owner of such a lot or lots, shall vest in the proprietor, his heirs and assigns, a right, in fee simple, to such lot or lots; and said certificates shall have the same force and effect as deeds duly executed in other cases, and may be recorded, and certified copies thereof shall be evidence as in other cases: *Provided*, That all deeds or certificates heretofore given by the president and secretary of the joint consistories of the said Lutheran and Calvinist congregations, for burial lots, sold in said burial ground, shall be taken and held as valid as if made under this act, and that any purchase money that may be due and unpaid on any burial lot, sold previous to the passage of this act, may be collected by said association.

Conveyance of lots, relative to.

Proviso.

SECTION 8. That any person who shall wilfully destroy, mutilate, deface, injure or remove any tomb, monument or grave-stone, or other structure placed in the cemetery aforesaid, or any fence, railing or other work for the protection or ornament of the said cemetery, or shall wilfully destroy, cut, break or injure any tree, shrub or plant, or shall dig any grave or graves contrary to the rules and regulations of said association, within the limits of said cemetery, shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof before any court of competent jurisdiction, be punished by a fine of not less than five dollars or more than one hundred dollars, and by imprisonment in the county jail for a term of not less than one or more than thirty days, according to the nature and aggravation of the offence; and such offender shall also be liable in an action of trespass, in the name of the said corporation, to pay all such damages as have been occasioned by his unlawful act or acts; which money, when recovered, shall be applied by the said corporation, under the direction of the managers, to the reparation

Penalty for mutilating or injuring property.



and restoration of the property destroyed or injured as above; and members of said corporation, or the lot owners, shall not thereby be prevented from testifying in any case at law to which said corporation shall be a party.

No street or road  
to be laid out  
through grounds.

SECTION 9. That no street, lane or road shall ever be laid out through the lands, so occupied as a cemetery, except under the authority of the corporation.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The seventh day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 647.

## A N A C T

To incorporate the Home for Friendless Children for the city and county of Lancaster.

Preamble.

WHEREAS, A number of citizens of this commonwealth have formed an association for the laudable and benevolent purpose of educating and providing for friendless and destitute children:

*And whereas,* The general assembly of this commonwealth are willing to encourage such purposes; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

Corporators.

Dr. F. A. Muhlenberg, Dr. P. Cassidy, James Black, Horace Rathvon, G. Taylor Lane, C. Widmyer, John Deaner, James H. Barnes, Henry Wentz, John Bomberger, Rudolph F. Rauch, Dr. John L. Atlee, Charles M. Howell, James Evans, H. E. Slaymaker, Jacob Griel, Samuel W. Taylor, Thomas E. Franklin, W. B. Fordney, Hiram B. Swarr, Benj. F. Shenk, Daniel Heitshu, John Ditlow, Christian Shenk, J. E. Hiester, G. M. Kline, A. Herr Smith, George Calder, Jr., John A. Hiestand, Reuben Baer, S. S. Rathvon, W. Carpenter, John Wise, Albert Sanderson, William Diller, John D. Skiles, John Lippincot, W. L. Peiper, John R. Russel, Louis Herford, John Erben, Nathaniel Ellmaker, Bartram A. Shaeffer, J. F. Steinman, Michael Carpenter, Godfried Zahn, Dr. Eli Parry, Peter M'Conomy, John W. Jackson, John R. Bitner, S. A. Wylie, John R. Bitner, Jacob M. Long, Doctor John Miller, John Trissler, Henry Scherf, George Spurrill, John Rankin, Dr. Henry Muhlenberg, Dr. John Longnecker, Anthony E. Roberts, Watson H. Miller, John Michael,



David Reese, Michael M'Grann, William Miller, Frederick Cooper, David Jeffries, Henry Blickensderfer, Henry Frank, Emanuel Gast, G. M. Steinman, Christopher Hager, Peter G. Eberman, John P. Myer, Joseph Ehrenfried, Carpenter M'Cleary, John A. Sheaff, George R. Reed, Dr. Henry Carpenter, J. J. Cochran, William P. Brinton, O. J. Dickey, Isaac Diller, H. F. Pinkerton, Henry C. Locher, Jacob Bowers, Philip Fitzpatrick, John H. Pearsol, and their associates, be and they are hereby incorporated and made a body politic in law, by the name, style and title of "The Home for Friendless Children for the city and county of Lancaster;" and by that name, style and title shall have perpetual succession, with power to have a common seal, and the same to change at pleasure, to make contracts relative to the institution, to sue and be sued, to plead and be impleaded; and by that name, style and title be capable of purchasing, holding, taking and conveying any estate, real or personal, for the use of the said corporation: *Provided*, The annual income of said estate shall not exceed ten thousand dollars, nor be applied to any other purposes than those for which this association is formed; to fix the quorum of the board of managers and of the board of trustees, and appoint such officers as may be requisite; to establish such other by-laws, rules and regulations as the said corporation shall judge necessary or expedient for the due management of the concerns of the said corporation: *Provided*, That the same be not repugnant to the constitution of the United States or of this commonwealth.

Style.

Powers.

Proviso.

Proviso.

SECTION 2. That every person who shall annually pay to the treasurer of the Home for Friendless Children, on or before the first day of May, the sum of one dollar or upwards, shall be a member of the said Home for Friendless Children for the city and county of Lancaster, while such person so contributes; and every person who shall pay ten dollars at one time, shall be a member for life.

Qualification for membership.

SECTION 3. The affairs and concerns of the said Home for Friendless Children for the city and county of Lancaster shall be conducted by a board of managers, consisting of twenty-four ladies, and a board of trustees, consisting of sixteen gentlemen; and the members of the said corporation shall meet on the first Tuesday in May next, at such hour and place as the board of trustees shall designate, and elect a board of twenty-four managers, six of whom shall be elected to serve for one year, six to serve for two years, six to serve for three years, and six to serve for four years; and also a board of sixteen trustees, four of whom shall be elected to serve for one year, four for two years, four for three years, and four for four years; and the members of the said corporation shall annually thereafter, on the first Tuesday in May, at such hour and place as the said board of trustees shall designate, elect six managers and four trustees, to serve for four years; and shall then and there also elect a manager or managers, trustee or trustees, to fill any vacancy or vacancies that may be occasioned by the death, resignation, removal or neglect, or refusal to act, of any manager or trustee: *Provided*, That in case an election should not be held at the time provided, the board of trustees shall give at least ten days' notice that another election will be held, which said election shall be held

Management.

Managers and trustees.

Election.

Terms.

Proviso.

Proviso.

within one month after the said first Tuesday in May: *And provided further*, That notice of any election shall be given at least twice a week for two weeks, in two of the newspapers of the city of Lancaster, prior to the time of holding said election.

Guardianship,  
care and manage-  
ment of children.

SECTION 4. That it shall and may be lawful for the said managers and trustees, in their discretion, to take under their guardianship all children who may be placed under their care and management, in either of the following modes:

Firstly. White children under twelve years of age, who shall be voluntarily surrendered by their father, or in case of his death or absence, by their mother, or by their guardians, to the care of the said managers and trustees.

Secondly. White children under twelve years of age, who may be committed to the care of the said managers and trustees by either of the judges of the court of common pleas of the county of Lancaster, or by the mayor of the city of Lancaster, on account of vagrancy, or of the exposure, neglect or abandonment of said children by their parent or parents, guardian or other persons having custody of said children; and it shall be the duty of any judge or mayor, so committing any child to the care of said managers and trustees, to annex to the said commitment an abstract of the evidence taken by him, and on which his adjudication was founded; which said evidence shall be under oath or affirmation, and taken in the presence of said child.

Care and man-  
agement during  
minority.

SECTION 5. That the said managers and trustees shall have the guardianship of the said children, so placed under their care and management, during their minority, shall cause them to be educated and instructed in a proper manner, and may, when in their discretion it shall appear proper, bind the said children, with their consent, as apprentices, during their minority, to such persons, and at such places, and to learn such trades and employments as, in the judgments of said managers and trustees, will be most conducive to the benefit and advantage of said children: *Provided*, The charge and power of said managers and trustees over and upon the said children, shall not, in the case of females, extend beyond the age of eighteen years; or the said managers and trustees may, in their discretion, return the said children to their parents, or surviving parent or guardian.

To be bound out  
as apprentices.

Proviso.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 648.

## A N A C T

To incorporate the West Harrisburg Market House Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* W. K. Verbeke, Charles Swartz, John B. Tomlinson, William Sayford, Theo. Fenn, Michael Durkee, Elijah Wise, James Porter, Augustus Sayford, and their successors, and all persons who may hereafter be associated with them, be and they are hereby created and erected into a body politic and corporate, in deed and in law, by the name, style and title of the West Harrisburg market house company, and by that name shall have perpetual succession, and be able to sue and be sued, plead and be impleaded in any court of law or equity or elsewhere, and shall be able and capable in law and equity, to take and hold to them and their successors, either by grant and conveyance in fee simple, gift, devise or lease, any land or real estate, for the purpose only of erecting thereon, a suitable building or buildings, for the use of said company; and also to take and hold, for the use of said company, any goods and chattles, sum or sums of money, by grant, bargain or sale, and generally to do all and singular, the matters and things which shall be lawful for them to do, for the well being and due management of the affairs of said company: *Provided*, That the capital stock of the said company shall not exceed the sum of fifty thousand dollars, divided into five hundred shares, of one hundred dollars each.

Corporators.

Style.

Powers.

Proviso.

SECTION 2. That the certificates of stock of the capital stock of said company, under the corporate seal, signed by the president and attested by the secretary, shall be issued to the person or persons who subscribe for the same, which stock shall be transferable under such regulations as may be provided for in the by-laws.

Certificates of stock.

SECTION 3. That the object and purpose of said corporation, shall be to erect suitable building or buildings and stalls, at any place within the limits of the village of West Harrisburg, the same to be appropriated and used exclusively as a public market house, for the sale and vending of meats, vegetables, and all other kinds of victuals and provisions whatever, and such other articles as the board of directors may deem proper; the said market buildings, the stalls or any one or more, or all of the same, to be leased, rented or disposed of, in such manner and upon such terms and conditions as the directors shall determine.

Objects and purposes.

SECTION 4. That the government and control of the West Harrisburg market house company, and the management of its affairs and property, shall be vested in a board of nine directors,

Government and control.

five of whom shall constitute a quorum for the transaction of business, who shall be elected annually, at such time and place, and in such manner as the said company shall, by its by-laws, provide; the officers of said company shall be a president and secretary, who shall also be the treasurer of the company.; the president and secretary shall be elected by the board of directors from among their number for the time being.

When letters patent to issue.

SECTION 5. That the persons named in the first section of this act, upon certifying to the governor under their hands and seals, that fifty shares have been subscribed, and twenty-five dollars paid on each share of the same, that at least three of whom shall make oath or affirmation, that the facts set forth in said certificate as just and true, that then and in that case, the governor shall thereupon, by letters patent, under his hand and the seal of the state, create and erect the subscribers and stockholders into one body politic and corporate, in deed and in law, by the name and title of the West Harrisburg market house company, as authorized and provided for in this act.

Seal.

SECTION 6. That said corporation may make and have a common seal, and the same to break, renew and alter at pleasure, and also to ordain, establish and put in execution, such by-laws, ordinances and regulations, as shall appear necessary and convenient for the government of said corporation, not being contrary to this charter, or the constitution and laws of the United States or of this commonwealth: *Provided*, That all by-laws for the government and management of said corporation must be submitted to the stockholders at an annual meeting, or at a special meeting called for that purpose, of which fifteen days' public notice must be given in one weekly or daily paper printed in the borough of Harrisburg, signed by a majority of the directors for the time being: *Provided*, That all by-laws must be approved by a vote of two-thirds of the members present, which fact must be recorded upon the minutes kept by the secretary.

By-laws.

Proviso.

Proviso.

Subscriptions to stock.

Proviso.

SECTION 7. That the opening of books and receiving of subscriptions to the capital stock of said company, shall be regulated in such manner as a majority of the persons named in the first section of this act shall determine: *Provided*, That at least fifteen days' notice shall be published in one daily or weekly paper printed in the borough of Harrisburg, of the time and place where subscriptions will be received.

First election of directors.

Proviso.

SECTION 8. That the first election for directors shall be held at such time and place as shall be agreed upon, after receiving the charter from the governor of this commonwealth, of which due notice shall be given, as directed in the seventh section of this act: *Provided*, That each stockholder shall be entitled to one vote for each and every share of stock held in said company.

Not to enjoy banking privileges.

SECTION 9. That nothing contained in this act shall be deemed and taken to authorize the said company to engage, either directly or indirectly, in any banking, commercial or manufacturing business, or act in any way or manner than for the purpose of erecting and leasing, or otherwise disposing of a market house and stall or stalls, for the purpose specified in this act.

SECTION 10. That the privileges hereby granted shall extend Limitation for a period of thirty years and no longer, unless otherwise granted by the legislature of this commonwealth.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 649.

## A N A C T

To incorporate the Sunbury Bridge Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That J. Weiser Bassler, Edward Y. Bright, senior, John B. Packer, Commissioners. John W. Friling, Jesse M. Simpson, Jeremiah H. Zimmerman, William J. Greenough, George B. Youngman, William T. Grant, C. J. Bruner, of Northumberland county, be and are hereby appointed commissioners to open books, receive subscriptions and organize a company under the name, style and title of the Sunbury bridge company, for the purpose of erecting a toll bridge across the Susquehanna river, at or opposite the borough of Sunbury, county of Northumberland. Style.

SECTION 2. That the capital stock of said company shall be Capital stock. fifty thousand dollars, to be divided into shares of twenty-five dollars each, with power to increase the same to an amount sufficient for the erection of the said bridge.

SECTION 3. That the said company may cross, use and occupy May occupy parts of public roads or streets. such part or parts of any public road or street, as may be necessary or expedient for the purpose of erecting said bridge: *Provided,* The said corporation shall fully indemnify the owners of Proviso. such property as may be used for the purposes of said bridge.

SECTION 4. That any railroad, canal or other company, incorporated under the laws of the commonwealth of Pennsylvania, is hereby authorized to subscribe for any number of shares in the capital stock of said bridge company. Certain companies may subscribe to stock.

SECTION 5. That the said company shall be organized, managed and governed as is provided by the act regulating bridge companies, approved the twelfth day of April, one thousand eight hundred and fifty-five, and be subject to all the provisions, re- Subject to



strictions, and enjoy all the immunities and privileges contained in said act.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER,

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No. 650.

## AN ACT

To incorporate the Junction Railroad Company.

**Corporators.** SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That J. Edgar Thompson, George C. Franciscus, S. M. Felton, Asa Whitney, J. Dutton Steele, Marshall B. Hickman, H. Jones Brooke and Morris S. Wickersham, and their associates, and those who may become associated with them, be and are hereby incorporated and constituted a body politic, under the name and title of the Junction railroad company, with all the rights and privileges, and subject to all the conditions and restrictions conferred or imposed by an act to regulate railroad companies, approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine, and the supplements thereto.

**Name.**  
**Rights and privileges.**  
**Route.** SECTION 2. That the said Junction railroad company are hereby authorized to construct a railroad, commencing at a point upon the Philadelphia and Reading railroad, at or near the bridge of said company, near Peters's island, in the river Schuylkill; thence by the best route to a point upon the line of Pennsylvania railroad, within one mile east of George's run, at the village of Hestonville; thence by the line of the Pennsylvania railroad, by the most direct and practicable route, to a point upon the line of the Philadelphia, Wilmington and Baltimore railroad.

**Management.** SECTION 3. That the affairs of the said company shall be managed by a board of directors, to consist of five stockholders, one of whom may be president, to be elected on the first Monday in April, in each and every year, unless otherwise ordered by the stockholders.

**Capital.** SECTION 4. That the capital stock of the said company shall consist of five thousand shares of fifty dollars each.

**May borrow money, &c.** SECTION 5. That it shall and may be lawful for the said Junction railroad company, if deemed necessary, to borrow, from



time to time, sums of money, not exceeding three hundred thousand dollars, and to issue bonds therefor, bearing interest not exceeding seven per cent., and to mortgage, as security therefor, all the corporate rights, franchises, property, real and personal, of whatever kind soever, belonging to said company: *Provided*, *Proviso.* That no bond shall be issued for a less sum than one hundred dollars.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The third day of May, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 651.

## AN ACT

To incorporate the Harrisburg Corn Exchange.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John Wallower, junior, Andrew Patterson, William Garratt, John Hoffer, John H. Brant, Jacob R. Eby, Samuel L. McCulloch and J. G. Louck, of the county of Dauphin, and such other persons as they may associate with them, their successors and assigns, be and they are hereby erected into a body politic and corporate, by the name, style and title of the Harrisburg *Style.* Corn Exchange, for the purpose of advancing the flour, grain and domestic product, and such other articles as in which they *Purpose and ob-* trade, and for the improvement of the facilities for transacting *ject.* such business; and by that name may sue and be sued, and plead and be impleaded in any court of law or equity; and may have and use a common seal; and, for the purposes of the corporation, may purchase, hold and convey real and personal estate, in an amount not exceeding seventy-five thousand dollars.

SECTION 2. That the first meeting of said corporation shall be *First meeting,* called by the persons named in the first section of this act, and *relative to.* be held in the city of Harrisburg, at such time, within sixty days after the passage of this act, as they, or a majority of them, may determine, when and where a president, secretary, treasurer *Officers, election* and eight members shall be elected by ballot, all of whom shall *of.* constitute a board of trade, who shall continue in office until the *Officers to consti-* first Monday in March, one thousand eight hundred and sixty- *tute a board of* one, at which time, and on the same day annually thereafter, *trade.*

Annual election. officers and members, as hereinbefore mentioned, to constitute a board of trade, shall be elected, at a place to be annually fixed for such election, by the said board of trade, at least twenty days preceding the said election.

Management SECTION 3. That the property and affairs of the said corporation shall be managed and conducted by the said board of trade, who shall have power to fill all vacancies which may occur in their own body, and make all needful by-laws, rules and regulations for the government of said corporation, not inconsistent with the constitution of this commonwealth or of the United States.

Vacancies, how filled. Election as provided in first section, relative to. SECTION 4. That if from any cause the election shall not be held, as provided in the second section of this act, a forfeiture of their charter shall not be worked thereby, but an election can thereafter be held at such time as the by-laws shall prescribe.

Limitation. SECTION 5. That this charter shall continue in full force for the term of fifteen years from the date of its passage, unless extended by an act of the legislature; and the legislature reserves the right to amend, alter or repeal it at any time, in such manner as shall not do injustice to the said corporation or to any member thereof.

Reservation.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

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No. 652.

## A N A C T

To incorporate the East Liberty and Wilkinsburg Gas Company.

Commissioners. SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Thomas B. Lloyd, David E. Bayard, William Wilkins, James Johnston, junior, Edward D. Gazzam, Thomas Mellon, Charles B. Seeley, John F. Mackenzie, James W. Hailman, Francis Sellers, Edward Rahm, George A. Berry, Joseph Woodwell, Isaac Jones, George Negley, George Black, L. R. Livingston, W. B. Negley, R. H. Hartley, W. O. Leslie, Thomas S. Clark, Christian Zug, Springer Harbaugh, be and they are hereby appointed commissioners, and they, or a majority of them, are hereby au-

thorized to carry into effect the establishment of a gas company, Duties.  
 to furnish gas for East Liberty, Wilkinsburg and vicinity, in the  
 county of Allegheny, state of Pennsylvania, with a capital stock Capital stock.  
 of one thousand shares, of fifty dollars each; said company to  
 be organized, managed and governed as provided by the act regu-  
 lating gas and water companies, approved the eleventh day of  
 March, one thousand eight hundred and fifty-seven, and subject Subject to.  
 to all the restrictions and provisions, together with all the privi-  
 leges and immunities contained in said act.

SECTION 2. The said East Liberty and Wilkinsburg gas com- May connect  
 pany shall have power and authority to connect their main pipes pipes with pipes  
 with the main pipes of the Pittsburg gas company, and to con- of Pittsburg gas  
 tract with said Pittsburg gas company for gas, on such terms company.  
 and conditions as may be agreed upon by said companies.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twelfth day of March, Anno Domini one thou-  
 sand eight hundred and sixty.

WM. F. PACKER.

## RESOLUTIONS

PASSED SESSION OF EIGHTEEN HUNDRED AND SIXTY.

No. 1.

## RESOLUTION

Relative to the Pay of the retiring Officers of the General Assembly.

*Resolved by the Senate and House of Representatives in General Assembly met,* That the state treasurer is hereby authorized and directed to pay, out of any moneys in the treasury not otherwise appropriated, the retiring officers of the last session of the general assembly, for ten days' service at the opening of the present session, and the usual mileage, including such officers as were paid by resolution or otherwise.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The sixth day of January, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 2.

## RESOLUTION

Relative to the pay of M. D. Witman.

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania,* That the state treasurer be and he is hereby authorized to pay to the legal representatives of Marks D. Witman, a member of this House, deceased, for the exclusive use and benefit of the wife and children of said Witman, the sum of three hundred dollars.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twelfth day of January, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

## No. 3.

## RESOLUTION

Relative to the purchase of Purdon's Digest.

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the clerks of the Senate and House be and they are hereby authorized to procure a copy of the last edition of Purdon's Digest for each member and clerk, and assistant clerk, and the transcribing clerks' room of the respective houses; and that the state treasurer be and he is hereby authorized to pay the same, out of any moneys in the treasury not otherwise appropriated.*

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twelfth day of January, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

## No. 4.

## RESOLUTION

Relative to the Legislative Manual.

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the clerks of the Senate and House of Representatives be authorized to procure a copy of Sutherland's and Ziegler's Manual for each member and clerk, and assistant clerk, of the respective houses; and that the state treasurer be and he is hereby authorized to pay for the same, out of any moneys in the treasury not otherwise appropriated.*

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The thirteenth day of January, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

## No. 5.

## RESOLUTION

Relative to the Accounts of the late Clerk of the House of Representatives.

*Resolved by the Senate and House of Representatives in General Assembly met,* That the auditor general and state treasurer be and they are hereby authorized and required to settle and adjust all the accounts of Samuel J. Rea, late clerk of the House of Representatives, in the same manner as if he were still in office, and pay over to said Rea any balance that may be found due him on such settlement, out of any money in the treasury not otherwise appropriated.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of January, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

## No. 6.

## RESOLUTION

Relative to the pay of Samuel M'Donald.

WHEREAS, Samuel M'Donald, late assistant door-keeper of the House, was actually employed by the late clerk of the House, in attending to the furnaces in the basement of rotunda and House, for six days preceding the commencement of the present session; therefore,

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met,* That the state treasurer is hereby authorized and directed to pay Samuel M'Donald, the regular per diem as assistant door-keeper for six days.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-fourth day of January, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.



## No. 7.

## RESOLUTION

Relative to the pay of Thomas W. Duffield.

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the state treasurer be and he is hereby authorized and required to pay Thomas W. Duffield, seven dollars per day, from the organization of the House until the nineteenth of January, one thousand eight hundred and sixty, inclusive, together with usual mileage.*

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-fifth day of January, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

## No. 8.

## RESOLUTION

Relative to the pay of Samuel J. Rea, as Clerk to the Committee trying the Contested Election in the Sixteenth Legislative District of Philadelphia.

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the state treasurer be directed to pay to Samuel J. Rea, clerk to the committee to try the contested election case of the sixteenth legislative district of Philadelphia, the sum of three dollars per day, and the usual mileage, the number of days to be certified by the chairman of said committee.*

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The thirty-first day of January, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

## No. 9.

## RESOLUTION

Relative to a copy of Geological Survey for the Chester County Academy of Natural Science.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the secretary of the commonwealth is hereby directed to deliver to the officers or agents of the Chester County Academy of Natural Science, one copy of Rogers's Geological Survey, with the accompanying maps, for the use of the said academy.*

W. C. A. LAWRENCE,

*Speaker of the House of Representatives.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The seventh day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

## No. 10.

## RESOLUTION

Relative to Rogers's Geological Survey.

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the secretary of the commonwealth is hereby directed to furnish to each of the members of the general assembly who have not heretofore been supplied, and to the attorney general, and chief and assistant clerks of the Senate and House of Representatives, one copy of Rogers's Geological Survey of this state, with the accompanying maps: Provided, That nothing herein contained shall be construed to prevent ex-members, entitled to copies of this report, from being first supplied: Provided, That no member or officer who has already received a copy, shall receive one under this resolution.*

W. C. A. LAWRENCE,

*Speaker of the House of Representatives.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The seventh day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 11.

## RESOLUTION

Directing the Secretary of the Commonwealth to place in the hands of the State Librarian five copies of Rogers's Geological Survey.

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That there be placed in the hands of the state librarian, by the secretary of the commonwealth, five copies of the Geological Report and map, which he shall have suitably bound, and shall distribute one copy to each of the governments of France, Belgium, Bavaria, Prussia and Russia, as a present from this commonwealth to the above governments; and that the state treasurer be directed to pay the sum required for binding and forwarding the same, out of any unappropriated money in the treasury.*

W. C. A. LAWRENCE,

*Speaker of the House of Representatives.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The seventh day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 12.

## RESOLUTION

To pay Samuel B. Laufer for serving as Clerk to the Committee appointed to try the Contested Election of James Donnelly.

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the state treasurer be directed to pay to Samuel B. Laufer, clerk to the committee to try the contested election of the fourteenth representative district of the city of Philadelphia, the sum of three dollars per day and the usual mileage, the number of days to be certified by the committee.*

W. C. A. LAWRENCE,

*Speaker of the House of Representatives.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The eighth day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 13.

## RESOLUTION

To pay the widow of John Ray, deceased.

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the state treasurer is authorized and directed to pay to the widow of John Ray, who was employed in the basement of the hall, and died on February seventh, one thousand eight hundred and sixty, the sum of one hundred dollars, and the necessary sickness and funeral expenses of deceased: Provided, Said expenses do not exceed fifty dollars, to be expended by the clerks of the Senate and House of Representatives.*

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twentieth day of February, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 14.

## RESOLUTION

Relative to the payment of certain moneys into the State Treasury by the Manufacturers' and Mechanics' Bank of Philadelphia.

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the auditor general, in settling the per centage allowed by the act of twenty-second day of May, one thousand eight hundred and fifty-seven, on the increase of the capital of the Manufacturers' and Mechanics' Bank of the city and county of Philadelphia, be and is hereby directed to charge no per centage on the restoration of the capital of said bank, to the amount allowed by and for which it has already paid a per centage under the provisions of the act of twentieth day of May, one thousand eight hundred and thirty-six, but to charge only the per centage imposed by the act of one thousand eight hundred and fifty-seven, on such increase of capital beyond the amount allowed and already settled for under the act of one thousand eight hun-*

dred and thirty-six, as may take place under the said act of one thousand eight hundred and fifty-seven.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 15.

### RESOLUTION

Relative to Printing Bank Reports.

*Resolved*, That there be printed for the use of the legislature at its next session, two thousand copies of the reports of the banks and savings institutions of this state, as made to the auditor general, after their first discount day in November next, as required by law, and that the auditor general furnish copies of the statement of each bank received at his department to the state printer, to enable him to deliver this document at the meeting of the next legislature.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 16.

### RESOLUTION

To pay the expenses of the Committee on Contested Election case in the Fourteenth Representative District of Philadelphia.

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met*, That the state treasurer be and he is hereby authorized to pay the

committee selected to try the contested election case of the fourteenth representative district of Philadelphia, the sum of four hundred and fifty dollars; fifty dollars of which shall be paid to each member of said committee, for expenses incurred by sitting in Philadelphia.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 17.

## RESOLUTION

Relative to the Commissioners of Dauphin County and their Court House.

*Resolved by the Senate and House of Representatives,* That the commissioners of Dauphin county are hereby authorized to occupy the second story of the state arsenal, at Harrisburg, as a court house, until the completion of their proposed new court house in said county.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,  
*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 18.

## RESOLUTION

Relative to the charges on Railroads.

WHEREAS, Great injustice is done to citizens of this and other states, by reason of the competition existing between the leading railroad lines connecting the east with the west, resulting in



great discrimination against the best interests of certain sections of the country :

*And whereas*, The evil can only be effectually remedied by a concert of action between the states more directly interested ; therefore,

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met*, That the governor of this commonwealth be and he is hereby requested to address a communication to the several governors of the states of New York, Maryland and Virginia, requesting them to bring the subject to the attention of their respective legislatures, with the view to the passage of laws that shall provide for the appointment of commissioners, not less in number than three for each state, to meet at such time and place, in conjunction with commissioners from this state, as may be fixed upon by the several governors, to consider the question, and suggest such concurrent action to the legislatures of the said states as may seem to them best calculated to remedy the evil.

*Resolved*, That the governor be and he is hereby authorized to appoint three commissioners, to represent this state wheresoever either of the aforesaid states shall have appointed commissioners for the aforesaid purpose.

JOHN M. THOMPSON,

*Speaker of the House of Representatives pro tem.*

WM. M. FRANCIS,

*Speaker of the Senate.*

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

## No. 19.

### RESOLUTION

Relative to the expenses attending the sickness and death of Samuel Balliett, Esquire, a Member of the last House of Representatives.

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met*, That the state treasurer is hereby authorized and required to pay to the administrators of the estate of Samuel Balliett, late a member of the House of Representatives, who died at Harrisburg, immediately upon the final adjournment, the sum of two hundred and forty-one dollars, out of any moneys not otherwise appropriated, it being the amount of expenses incurred during his last illness and burial ; also, to Messrs. Sloan and Boyd, of Harrisburg, for coffin, forty-five dollars, and to Mrs. Jane John-

## LAWS OF PENNSYLVANIA,

son, of Harrisburg, for extra inconvenience and service, during illness of deceased, thirty dollars.

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

ROBERT M. PALMER,  
*Speaker of the Senate.*

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

No. 20.

## RESOLUTION

To pay the expenses of forwarding the bound copies of the Legislative Record.

*Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That there be appropriated the sum of seventy-five dollars to defray the expenses of packing and forwarding the bound copies of the Legislative Record, to the members of the Senate and House, to be paid on the order of the clerk of the House.*

JOHN M. THOMPSON,  
*Speaker of the House of Representatives pro tem.*

ROBERT M. PALMER,  
*Speaker of the Senate.*

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

## APPENDIX—1854.

No. 653.

### A N A C T

To incorporate the Middle Coal Field Tunnel and Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Henry Donnel, David Longnecker, William L. Helfenstein, Decatur E. Nice, Henry K. Strong, Samuel Hipple, John Henry Adam, John C. Kunkel, William Frick, George H. Hart, J. W. Quiggle and John Hendricks, and such persons as may be associated with them, be and they are hereby constituted and made a body politic and corporate, in deed and in law, by the name, style and title of the Middle Coal Field tunnel and railroad company, with authority to sue and be sued, plead and be impleaded, in all courts of law and equity, to have a corporate seal, to purchase and hold real estate, to construct a tunnel and railroad as hereinafter provided, and to have all the rights, powers and privileges now conferred upon and existing in the Philadelphia and Sunbury railroad company, not inconsistent with the provisions of this act, so far as relates to making loans and securing the same, liability to taxation, charges for toll and transportation, holding and conveying of real estate, and other necessary or usual incidents of a corporation; and that the capital of said company shall be three millions of dollars, to be divided into shares of fifty dollars each; and the directors of said company shall have authority to increase said capital from time to time, as they shall deem expedient.

Corporators.  
Style.]  
Powers.

SECTION 2. That the special objects of said corporation shall be the making and construction of a tunnel through the Broad mountain, or any part thereof, from any point in the Mahanoy or Middle Coal Field, so as to connect the same with, and afford an outlet for, the products thereof, to the market in the city of Philadelphia, without the use of inclined planes, and for the purpose of laying down a railroad track or tracks thereon, and the extension thereof, and the construction of lateral branches, as shall be hereinafter provided.

Objects.

Tolls.	SECTION 3. That the Middle Coal Field tunnel and railroad company, hereby created, shall have authority to charge a rate of toll, for the passage through their said tunnel of coal, iron and other merchandise, not exceeding twenty cents per ton, and for each passenger, not exceeding twenty-five cents each; and
Further powers.	that said company shall further have the power and authority to make such special contract or contracts as they shall deem expedient or proper, with any or all the owners of real estate through whose property the tunnel of said company may pass, and which shall be developed as a mineral estate thereby, so as to secure the development of the coal and other mineral deposits of any or all of such real estate, and the water drainage of the same, and to stipulate for and receive from any such owner or owners, respectively, any tonnage or other compensation that may be agreed upon, to be paid as the coal or other minerals shall be mined, or to be paid for in a gross sum, as may be agreed upon with any or all of said owners, respectively, as aforesaid, as well as to stipulate for and to make all such necessary or proper arrangements as shall promote the rapid developing and mining of said real estate, or any part thereof, as aforesaid; and to contract further with such owners, respectively, for the outlet for the coal or other minerals taken from said real estate, or any part thereof, through said tunnel, or any part thereof, at such rate per ton above the sum of twenty cents, as aforesaid, as may be agreed upon: <i>Provided however</i> , That if said company, and said owner or owners, as aforesaid, shall desire to contract so as to secure the development of their said lands or real estate, and to provide that a compensation per ton, or otherwise, may be secured to said company for all coal or other minerals mined or taken from said lands or real estate, and which it may be stipulated shall pass through the whole or any part of the tunnel of said company, or over any portion of the works of said company, it shall and may be lawful for said company to loan or pay to said owner or owners, respectively, such sum of money or amounts of capital stock as may be agreed upon as a compensation for the purposes aforesaid, and for the erection of machinery, fixtures and other improvements on said lands by said owner or owners, respectively, necessary or convenient in the development or working of the same, and to stipulate and require that all such coal and other minerals which are taken from said lands shall pay to said company such compensation per ton, or otherwise, as may be agreed upon; and that all contracts or agreements, entered into in pursuance of the provisions of this section, shall be regarded as covenants running with the land, and upon being recorded in the proper recording office in Schuylkill and Northumberland counties, respectively, shall be regarded as notice to all purchasers of said lands, who shall thereafter take and hold the same, subject to the covenants aforesaid.
Proviso.	
May extend road so as to connect with Sunbury and Erie railroad	SECTION 4. That said company may extend their railroad through said tunnel any distance, in a north-westerly direction, so as to connect with the road of the Philadelphia and Sunbury railroad company, and in a south-easterly or southerly direction, so as to connect with any other railroad, as well as with any canal, that will thus give a connection with the city of Philadel-

phia, and with authority to make as many branches as shall be deemed expedient by said company, not exceeding six miles in length; and that said company shall have all the power and authority to enter upon and take lands, and provide for payments of damages, as is provided for by the general railroad laws of this commonwealth.

E. B. CHASE,  
*Speaker of the House of Representatives.*

M. M'CASLIN,  
*Speaker of the Senate.*

APPROVED—The eighth day of May, Anno Domini one thousand eight hundred and fifty-four.

WM. BIGLER.

## APPENDIX—1858.

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No. 654.

### A FURTHER SUPPLEMENT

To an act to incorporate the Lackawanna and Susquehanna Railroad company.

*SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

Corporate rights of purchasers at any legal sale, relative to.

the purchasers at any legal sale made under the bonds, mortgages, or coupons for interest on said bonds, which are secured by said mortgages, made by the Lackawanna railroad company of the lands, railroad and franchises of the said company, as described in said mortgages, shall be entitled to all the corporate rights and powers conferred by law upon said company; and the said purchasers may arrange the stock to be by them held in said company, not exceeding twenty thousand shares of fifty dollars per share, according to the interests held by said purchasers therein.

Succeeding company, rights of, &c.

*SECTION 2. That the company thus succeeding to said corporate rights, shall be governed and controlled by, and be subject to all the provisions of the laws relating to the said Lackawanna railroad company: Provided, That the officers of said company may be resident of any other state, and that said company shall at no one time have a floating debt of more than ten per cent. upon the amount of their stock: And provided further, That said company shall pay all debts of the Lackawanna railroad company due to miners, laborers and employees of said company, and for materials, goods and provisions furnished, for carrying on the business of said company, and all debts contracted to persons resident in the county of Luzerne, whether secured by the notes and acceptances or by judgments against said company.*

Proviso.

Proviso.

Corporate powers vested in purchasers.

*SECTION 3. That upon such sale and conveyance of said lands, railroad and franchises aforesaid, the corporate powers vested in the stockholders of the Lackawanna railroad company shall cease and determine, and be vested in the purchasers aforesaid, by the name, style and title of "The Grassy Island coal and railroad company:" Provided, That nothing herein contained shall be construed to impair the rights of the said Lackawanna railroad company, to hold, sell and convey any lands and pro-*

Name changed.

Proviso.



perty held by them in the state of New Jersey, according to the law of said state, or to collect any debt due to said company.

A. BROWER LONGAKER,  
*Speaker of the House of Representatives.*

WILLIAM H. WELSH,  
*Speaker of the Senate.*

APPROVED—The sixth day of April, Anno Domini one thousand eight hundred and fifty-eight.

WM. F. PACKER.

No. 655.

## A FURTHER SUPPLEMENT

To an act to incorporate the North Philadelphia Plank Road Company, and for other purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the North Philadelphia plank road company be and they are hereby authorized to construct a railroad, to be used exclusively with horse power and passenger travel, with one or two tracks of five feet two inches gauge along the line on which, by the act to which this is a supplement and the supplements thereto, they are authorized to construct their plank road, as aforesaid, and from the point of intersection of Seventeenth street and Tioga street, to continue the said railroad down the said Tioga street to Broad street and down Broad street to Lehigh avenue; thence to continue said road down Broad street to Columbia avenue, and there to connect with the Citizens' Passenger railroad company; and thence over their road on Columbia avenue and Lancaster street and Tenth and Eleventh streets; and shall further have the right to lay a branch of the said road with one or two tracks, as aforesaid, up Broad street from said Lehigh avenue to Fisher's lane, and shall have power to convey passengers over the same; and the said company shall also have the right to purchase real estate, and to erect thereon such buildings and improvements as may be necessary for the purposes of said company, and also to purchase the necessary equipments for said railways; and no freight or burden trains, or locomotives, shall be permitted to pass over the same.

Authorized to  
construct rail-  
road.

Route.

Branch road.

SECTION 2. That the said North Philadelphia plank road company shall have the right, subject to such general regulations as the city councils shall, from time to time, establish and ordain for the government of passenger railroads connecting and running on other roads than their own, to connect with any other

Subject to.

May connect  
with other rail-  
ways.

Where parties  
cannot agree,  
how determined.

Proviso.

To conform to  
grades.

Proviso.

May increase  
capital stock,  
make loans, &c.

To connect with  
other roads for  
passenger pur-  
poses only.

passenger railway of the same gauge, which is now constructed or which may hereafter be constructed, occupying or crossing any part of the route above indicated, and to run their cars and carry passengers on such roads, with which they shall so connect, on paying to the company or companies owning such roads, a fair compensation for the use of their road or roads; and if said North Philadelphia plank road company and the company or companies, owning any road with which they shall so connect, should fail to agree on a fair compensation, as aforesaid, then they shall each appoint one disinterested person, who shall be approved of by the court of common pleas in said city, and the two thus chosen shall choose a third person, also disinterested, and who shall also be approved by said court, and the three thus chosen shall determine on the terms and compensation on which said North Philadelphia plank road company shall use, as aforesaid, any other road: *Provided also*, That all passenger railways now constructed or hereafter to be constructed, having a right to occupy or cross any part of said route, shall also have the right to connect with and use the road of the North Philadelphia plank road company, on the same terms and conditions and to the same extent as aforesaid.

SECTION 3. That said North Philadelphia plank road company, in constructing said road, shall conform to the grades now established or hereafter to be by law established, of the several streets and avenues traversed by said road, and keep said streets and avenues in perpetual good repair, at the proper expense of said company: *Provided*, That before the said company shall use and occupy the said streets, the consent of the councils of the city of Philadelphia shall be first obtained; and said consent shall be taken and deemed to have been given, if said councils shall not, within thirty days after the passage of this act, by ordinances duly passed, signify their disapproval thereof; and said councils may, from time to time, by ordinance, establish such regulations in regard to said railway, as may be required for the paving, re-paving, grading, culverting and the laying of gas and water pipes in and along said streets, and to prevent obstructions thereon.

SECTION 4. That to enable the said company to carry out the provisions of this act, they shall be and are hereby authorized to increase their capital stock two hundred thousand dollars above their present capital; and if they find it necessary, they shall further have the right to raise money by means of a loan, and for that purpose to mortgage their road, property and franchises, for any sum not exceeding three hundred thousand dollars, and to issue bonds, secured by such mortgage, of an amount of not less than one hundred dollars each, payable at such time as the stockholders shall determine, and bearing interest not exceeding six per cent.; and shall further be authorized to dispose of said bonds on any terms and for any price which the directors of said company, or their authorized agent or agents, shall deem expedient.

SECTION 5. That the said railroad company shall not connect with any railroad, other than for passenger purposes, and of the same gauge, under the penalty of a forfeiture of their charter; and the said company shall annually pay into the treasury of

the city of Philadelphia, for the use of said city, whenever the dividends shall exceed six per centum per annum on the capital stock, the sum of six per centum on the said dividends thus declared; and the said company, before commencing said road upon the said streets, shall purchase, at the option of the owners, the stock of horses, omnibuses, sleighs and harness owned and used upon the said streets at the time of commencing the said road, at a price to be assessed in the following manner: The said owners shall choose one disinterested person, and the said company shall choose a second person, and the two thus chosen shall choose a third, who together shall be disinterested persons, and shall appraise such stock, and the value thus arrived at shall be binding and final: *Provided*, That said company shall in all respects be subject to the provisions of the general act regulating railroad companies; of nineteenth of February, Anno Domini one thousand eight hundred and forty-nine, and the several supplements thereto: *Provided also*, That said North Philadelphia plank road company shall be subject to an ordinance of the city councils, entitled "An ordinance to regulate passenger railways within the city of Philadelphia," approved the seventh day of July, Anno Domini one thousand eight hundred and fifty-seven.

Tax on dividends to be paid into city treasury.

Purchase of omnibuses, &c.

Proviso.

Proviso.

G. NELSON SMITH,

*Speaker of the House of Representatives pro tem.*

WILLIAM H. WELSH,

*Speaker of the Senate.*

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and fifty-eight.

WM. F. PACKER.

## APPENDIX—1859.

No. 656.

## A N A C T

To incorporate the town of Jefferson, in the county of Cambria, into a borough, to be called the borough of Wilmore.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

Boundaries.

the town of Jefferson, in the county of Cambria, and the territory adjacent thereto, comprised within the following boundaries, to wit: Beginning at a post at the west end of the viaduct across the Ebensburg branch of the Conemaugh river, on the line of the old Portage railroad; thence south twenty-seven degrees west twenty-two perches to a post; thence south eleven degrees west one hundred and eight perches to a post; thence south twenty-five degrees west twenty-eight perches to a post; thence south sixty-four degrees east seventy-one perches to a post; thence north twenty-five degrees east one hundred and forty-four perches to a post; thence north sixty-four degrees east eighty perches to a post; thence north twenty-five degrees west twenty-eight perches to a post; thence north fifty degrees east eighty-four perches to a post; thence north fifty-seven degrees west one hundred and twelve perches to a post; thence south fifty-eight degrees west two hundred and fourteen perches to a post; thence south twenty degrees west twelve perches to a post; thence south ten degrees east thirty-four perches to the place of beginning, be and the same is hereby erected into a borough, to be called the borough of Wilmore, and shall enjoy the privileges and be subject to the limitations and restrictions not herein otherwise provided for by the general laws of this commonwealth relating to boroughs.

Subject to.

To form a separate election district.

SECTION 2. That the said borough shall form a separate election district.

Annual borough election, when and where held.

SECTION 3. That the qualified electors of said borough shall, on the third Friday of February, in the year of our Lord one thousand eight hundred and fifty-nine, and of every year thereafter, meet at the school house in said borough, and then and there between the hours of one and six o'clock in the afternoon,

Borough officers.

elect by ballot one reputable person, to be styled burgess of the said borough, and five other persons to be members of the town council, one assessor and two assistant assessors, when required by the laws of this commonwealth, one justice of the peace, one person for constable, who shall act as high constable, one judge and two inspectors of elections, all of which said officers must be citizens of the said borough, and have resided therein at

Qualification of officers.

least six months next preceding such election; the said elections shall be conducted in the same manner as is provided for the election of township officers of this commonwealth, except that the certificates of the election of burgess and councilmen shall be filed among the records of the corporation: *Provided*, Proviso. That the officers elected at the first election to be held under this act, shall hold their respective offices only until their successors shall be duly qualified to act.

SECTION 4. That the first election under this act shall be held First election. by a judge and two inspectors, to be chosen by the qualified electors of said borough, present at the opening of the election; and the inspectors thus chosen shall each appoint a clerk; and the constable of Summerhill township is hereby required to attend at the school house of said borough, on the said Third Friday of February, Anno Domini one thousand eight hundred and fifty-nine, at one o'clock in the afternoon, and open said election, and to give at least five days' previous notice of said election: *Provided*, That if the said constable should fail to be Proviso. present at the time aforesaid, the said election may be opened by any qualified elector of the said borough.

SECTION 5. That the corporation aforesaid shall have power Real estate. to purchase and hold such real and personal estate as the purposes of the borough shall require, not exceeding the yearly value of one thousand dollars, and to convey the same when the interests of the borough will be promoted by it.

SECTION 6. That said borough shall continue to be embraced School district. in the school district composed of Summerhill township, and the assessment of taxes for school purposes shall be based upon the assessment of the borough assessors for county rates and levies.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

JNO. CRESSWELL, JR.,  
*Speaker of the Senate.*

APPROVED—The tenth day of February, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

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No. 657.

## A FURTHER SUPPLEMENT

To the act incorporating the Pittsburg and Erie Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the charter of the Pittsburg and Erie railroad company is hereby revived and renewed, and the time for completing the road is

hereby extended to the twentieth day of April, Anno Domini one thousand eight hundred and sixty-four.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

JNO. CRESSWELL, JR.,  
*Speaker of the Senate.*

APPROVED—The tenth day of February, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 658.

### A FURTHER SUPPLEMENT

To the act to incorporate the Erie City Railroad Company, approved the sixth day of April, one thousand eight hundred and fifty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the term within which the Erie City railroad company shall complete and open their road for use, shall be and the same is hereby extended for the term of four years from the passage of this act.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

JNO. CRESSWELL, JR.,  
*Speaker of the Senate.*

APPROVED—The tenth day of February, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 659.

### A N A C T

To incorporate the Union Mutual Fire Insurance Company of Montgomery county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That



Richard Roberts, William M. Buckman, Henry P. Birchall, Jacob Danenhower, Edwin Satterthwait, Thomas Barnsley, John B. Newell, Samuel W. Noble, John M. Grant, Samuel Bockius, Thomas P. Manypenny, Edward Thornton and Benjamin Leshner, and such other persons as are or may be associated with them, under the authority of this act, their successors or assigns, are hereby made a corporation by the name of the Union mutual fire insurance company of Montgomery county; and they and their successors are hereby made a body politic and corporate in law, with all the legal incidents of a corporation aggregate, to have and enjoy all the rights, powers and privileges, and be subject to all the limitations and restrictions provided and enacted by an act of assembly, passed the second day of April, one thousand eight hundred and fifty-six, entitled "An Act to provide for the incorporation of insurance companies," and shall be limited to the risks designated in the first class in the seventh section of said act, and shall transact its business on the mutual principle.

SIMEON B. CHASE,

*Speaker of the House of Representatives pro tem.*

JNO. CRESSWELL, JR.,

*Speaker of the Senate.*

APPROVED—The twenty-third day of February, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

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No. 660.

## AN ACT

To incorporate the North-West Portage Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* A. S. Arnold, T. L. Kane, A. I. Wilcox, Sobiesk Ross, T. B. Overton, A. G. Olmstead, Joseph Mann and C. J. Medberry, or any six of them, be and they are hereby appointed commissioners to open books, receive subscriptions, and organize a company, by the name, style and title of the North-West Portage railroad company, with all the powers, and subject to all the provisions and restrictions prescribed by an act, entitled "An Act regulating railroad companies," approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine, except as may be herein otherwise provided.

SECTION 2. That the said company shall have power to construct a railroad from a point upon the Allegheny river, in the

township of Eldred, in the county of M'Kean, to the Sunbury and Erie railroad, in the county of M'Kean aforesaid, by such route or routes as to the president and directors shall seem best, with the privilege to construct such lateral roads or branches, in the counties of M'Kean, Elk and Potter, as they may deem necessary for the transportation of the products of said counties, and to connect the said road with any other adjacent railroad in this commonwealth.

May construct  
branch roads.

Capital stock.

SECTION 3. That the capital stock of said company shall be five hundred thousand dollars, divided into shares of one hundred dollars each, with privilege to increase the same, from time to time, to an amount sufficient to complete their road, and provide the same with all the necessary cars, locomotives, machinery, depots, water stations, &c.

May borrow money, &c.

SECTION 4. That the president and directors of the said company may borrow money, to an amount not exceeding three hundred thousand dollars, and issue their bonds therefor, either with or without coupons, in sums not less than one hundred dollars each, and secure the payment of the principal and interest of said bonds by a mortgage or mortgages on the road, property and franchises of the said company; and the said president and directors may make the said bonds convertible into stock, at par, if such course shall be deemed advantageous to the company.

May create preferred stock.

SECTION 5. That the president and directors of the said company shall have power to create, by resolution of the board, a preferred stock, to the amount of two hundred thousand dollars; said stock to bear such interest as the board may determine, not exceeding six per centum per annum; and to issue certificates of said stock to parties entitled thereto, obligating said company to the regular semi-annual payment of said interest, in preference to and before payments shall be made to the other stockholders.

Mineral lands may be taken for stock from commissioners.

SECTION 6. That the said commissioners named in the first section of this act shall have power, respectively, each and every of them, to subscribe any amount of their mineral lands or mineral rights in lands, not exceeding ten thousand acres, at a price to be agreed upon by said commissioners, and not to exceed twenty dollars per acre, and to be incorporated as capital stock of the said company.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

JNO. CRESSWELL, JR.,  
*Speaker of the Senate.*

•APPROVED—The first day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 661.

## A N A C T

To incorporate the Mount Olivet Cemetery Association of York county.

WHEREAS, The persons hereinafter named, with others, have purchased a piece of land in the vicinity of Hanover, in the county of York, for the purpose of converting the same into a cemetery, and as they are desirous that they and the persons who may be associated with them, and their successors, may be incorporated for the purpose of establishing and perpetuating such cemetery ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Daniel Q. Albright, G. W. Welsh, Horatio W. Emmert, William Wirt, F. M. Baughman, Joseph Slagle, Henry Kurtz, L. F. Melsheimer and James I. Naille, with such other persons as they may associate with them, and their successors, be and they are hereby created a body politic and corporate, in law, by the name, style and title of the Mount Olivet cemetery association, and by that name shall have perpetual succession, and to be able to sue and be sued, in any court of law or equity ; and may have and use a common seal, and the same at their pleasure alter and renew ; and shall have power to purchase, have, hold and enjoy, to them and their successors, any real estate which they may purchase in the vicinity of Hanover for such cemetery : That the whole quantity of real estate, to be held by them as a corporation, shall not exceed twenty-five acres ; and the said corporation shall have authority to receive gifts or bequests, for the purpose of ornamenting or improving said cemetery, and to hold personal property, such as may be deemed necessary to carry out the object of this act.

SECTION 2. That the affairs of said corporation shall be conducted by nine managers, who shall be elected by a majority of the votes of the members of the corporation, on the first Monday of January of each year ; and in case no election shall be held at the time aforesaid, the officers of the preceding year shall continue in office until an election shall be held ; the said managers shall fill all vacancies which may occur in their own body, by selecting a lot-holder to fill such vacancy ; and shall have power to lay out and ornament the grounds purchased for said cemetery ; to erect such buildings thereon as may be proper and necessary for the enjoyment of the same ; to lay out, sell and dispose of burial lots ; to appoint all necessary officers, and fix their several duties and compensations ; and to make such by-laws, rules and regulations as they may deem proper for conducting the affairs of the corporation, for the government of lot-holders and visitors to the cemetery, and for the transfer of lots and the evidence thereof ; and each of said board of managers, each year elected as aforesaid, shall, as soon after said election as may be, organize themselves by electing from their

Preamble.

Corporators.

Style.

Seal.

Proviso.

Managers, election of.

Vacancies, how filled.

Duties and powers of managers.

Officers.	own number a president, a secretary and a treasurer, whose several duties shall be such as the by-laws shall prescribe; the treasurer shall, before entering upon the duties of his office, give adequate and approved security for the faithful discharge of his duties, in such sum as may from time to time be fixed by the board.
Purpose for which lots are to be held.	SECTION 3. That ever lot conveyed in said cemetery shall be held by the proprietor for the purpose of sepulture alone, transferable with the consent of the board of managers, and shall not be subject to attachment or execution.
Conveyance of lots, relative to.	SECTION 4. That a certificate under seal of the corporation, of the ownership of any lot, shall in all respects have the same effect as any conveyance from the said corporation, of such lots, would have if executed, acknowledged and recorded as conveyances of real estate are required to be.
Corporators to derive no pecuniary profit.	SECTION 5. That the corporators thus created shall derive no personal or pecuniary advantage or profit thereby, and shall not receive any pay or compensation for the performance of any duties that shall devolve upon them as such; the board of managers shall not be entitled to receive any pay or compensation as such; the whole proceeds of the sale of lots and other income are hereby declared and directed to be appropriated to cemetery purposes alone, and to such outlays and expenditures as are incident thereto.
Votes.	SECTION 6. That at all elections held under this act, each member of the corporation, whether natural or artificial, shall be entitled to one vote and no more: <i>Provided</i> , That until an election shall be held under the provisions of this act, the persons hereby incorporated shall be managers of the corporation; any five of them shall be a quorum, capable of transacting business.
Proviso.	
No street or road to be opened through.	SECTION 7. That no street, lane or alley, road or canal, of any sort, shall ever be opened through that part of the property of said corporation, so to be exclusively appropriated to the purposes of a cemetery: <i>Provided</i> , Nothing herein contained shall authorize said corporation to obstruct any public road or street, lane or alley, now actually opened and used as such.
Proviso.	
Shooting upon grounds, penalty for.	SECTION 8. That any person or persons who shall carry, shoot off or discharge any gun or fire-arms, or any fire-works, within the limits of said cemetery grounds, shall be subject to the same pains and penalties as are incurred by those who hunt game in cemeteries or burial grounds, under the provisions of the act, entitled "An Act to protect burial grounds," approved May seventh, one thousand eight hundred and fifty-five.
Driving over grounds, relative to.	SECTION 9. That any person or persons who ride or drive over or upon any foot way or side walk, belonging to or appropriated to the use of such cemetery, whether within or without the said cemetery grounds, shall be subject to the like pains and penalties as are incurred by those who violate the preceding section.

W. C. A. LAWRENCE,

*Speaker of the House of Representatives.*

JNO. CRESSWELL, JR.,

*Speaker of the Senate.*

APPROVED—The third day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 662.

## A N A C T

To incorporate the People's Insurance Company, to be located in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Henry L. Wood, Gustave Raguel, John Bosler, James Freeborn, John Ferges, Edw. P. Hughes, William H. M'Calla, John M. Hoskins, James M'Carthy, William Ferger, A. W. Hoskins, and all persons who may hereafter associate with them, are hereby appointed commissioners, who, or any five of whom, are authorized and empowered, from and after the passage of this act, to establish an insurance company, by the name and title of the "People's insurance company," to be located in the city of Philadelphia, with a capital stock of twenty-five thousand dollars, divided into shares of fifty dollars each, with the right to increase said capital at any time to two hundred thousand dollars, and to be organized and managed according to the provisions of an act to provide for the incorporation of insurance companies, approved the second day of April, Anno Domini one thousand eight hundred and fifty-six, and shall be limited to risks designated in the first class in the seventh section of said act, with the right to transact its business upon the mutual principle, in connection with its capital stock as aforesaid.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

JNO. CRESSWELL, JR.,  
*Speaker of the Senate.*

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 663.

## A N A C T

To incorporate the Newry Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That



Commissioners.	Alexander Knox, James Conrad, Cornelius M'Connel, Henry M'Intosh, D. C. M'Cormick, John W. Duncan, Job M. Spang, Henry Crafford, Joseph Higgins, John M. Gibbony and R. W. Christy, or any five of them, be and are hereby appointed commissioners to open books, receive subscriptions, and organize a company by the name, style and title of "The Newry railroad company," with all the powers, and subject to all the provisions and restrictions prescribed by an act, entitled "An Act regulating railroad companies," approved the nineteenth day of February, one thousand eight hundred and forty-nine.
Style.	
Subject to.	
Capital.	SECTION 2. That the capital stock of said company shall consist of six hundred shares, of twenty-five dollars each: <i>Provided</i> , That the said company may, from time to time, by a vote of the stockholders, at a meeting to be called for that purpose, increase the capital stock of said company so much as shall be deemed necessary to complete said road, and carry out the provisions of the act of incorporation.
Proviso.	
Route.	SECTION 3. That the said company shall have the right to build and construct a railroad from the Newry siding, on the Allegheny Portage railroad to avoid the inclined planes, to the town of Newry, (a distance of about one mile,) all in the county of Blair.
Limitation.	SECTION 4. That if said company shall not commence the construction of said road within three years from the passage of this act, and complete the same within six years thereafter, this act shall be declared null and void, except so far as may be necessary to wind up the affairs of said company, and pay the debts of the same.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

JNO. CRESSWELL, JR.,  
*Speaker of the Senate.*

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

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No. 664.

## AN ACT

To incorporate the Parryville Bridge Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* John Brown, Dennis Bauman and David Thomas are hereby appointed commissioners to open the books, receive subscriptions,



and organize a company for the purpose of erecting a bridge over and across the river Lehigh, in Carbon county, at Parryville, near the iron works of the Carbon iron company, with the right and privilege of laying a railroad and wagon track over said bridge; the name, style and title of which company to be the Parryville bridge company. Style.

SECTION 2. That the Carbon iron company and Lehigh Valley railroad company, or either of them, shall severally have the priority of right to subscribe for the whole or such part of the capital stock of said company as they may deem proper and determine upon, by resolution, to be adopted and passed by the several boards of directors of said companies; and should they fail to subscribe the requisite number of shares herein authorized, then the balance of the stock may be subscribed for by any other person authorized to subscribe for the same. Certain corporations to have priority of right to subscribe for stock.

SECTION 3. The capital stock of said company shall be fifteen thousand dollars, (\$15,000,) to be divided into six hundred shares of twenty-five dollars each, with power to increase the said capital stock and number of shares to an amount sufficient for the erection of said bridge, not exceeding in all twenty thousand dollars. Capital stock.

SECTION 4. That the said company shall be organized under, and subject to the provisions and restrictions, and with all the rights and privileges of the act regulating bridge companies, approved the twelfth day of April, Anno Domini one thousand eight hundred and fifty-five, so far as the same are applicable hereto, excepting always so much thereof as is hereby altered, changed or inconsistent therewith. Subject to.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

JNO. CRESSWELL, JR.,  
*Speaker of the Senate.*

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 665.

## A N A C T

To incorporate the Mercantile Library Hall Company of the city of Pittsburgh.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

- Corporators.** George W. Jackson, James M'Cauley, Thomas M. Howe, James Park, junior, William Holmes, William M. Lyon, Isaac M. Pen-nock, J. K. Moorhead, Alexander Nimick, James M. Cooper, William Bagaley, John F. Singer, George Darsie, George Black, George W. Cass, William F. Johnston, Allen Kramer, John H. Shoenberger, Nathaniel Holmes and Felix R. Brunot, all of the county of Allegheny, and their associates and successors, are hereby erected into a body corporate, in deed and in law, by the
- Style.** name, style and title of the Mercantile Library hall company, for the purpose of erecting a hall for the use and benefit of the Young Men's Mercantile Library and Mechanics' Institute of the city of Pittsburg.
- Powers and privi-  
leges.** SECTION 2. That the said corporation, by the same name and title, shall have perpetual succession, and be able to sue and be sued, plead and be impleaded in all courts of law and elsewhere, and shall be capable and able in law and equity to take, purchase, hold and receive, to them and their successors, for the use of said company, lands, tenements, choses in action, goods and chattels of whatever kind, nature or quality, real, personal or mixed, which now are or hereafter may become the property of said corporation, or be held for their use, by gift, grant, bargain, sale, conveyance, devise, bequest or otherwise, from any person whomsoever, capable of making the same, and the same to grant, bargain, sell, mortgage, improve or dispose of, for the use and benefit of the said company; may have a common seal, and at pleasure alter, change or renew the same, and in general do all things which may be necessary for the well being and due management of said corporation.
- Officers.** SECTION 3. That the corporation hereby created, shall have power to appoint such officers for its government, the management of its property, and the superintendence of its affairs, as its members may deem proper and beneficial, and to make all by-laws which may seem proper to the same end, and to change or modify them at pleasure: *Provided*, That such by-laws and regulations shall not be contrary to the constitution of the state of Pennsylvania or the United States.
- Proviso.**
- Duties of corpo-  
ration.** SECTION 4. That it shall be the duty of the corporation hereby created, as soon as a sufficient amount of stock shall have been subscribed, to purchase ground and proceed to erect thereon, a suitable and commodious library building, for the use of the Young Men's Mercantile Library and Mechanics' Institute, of the city of Pittsburg, incorporated by the act of assembly, approved the twelfth day of February, Anno Domini one thousand eight hundred and forty-nine, which said building shall be completed without unnecessary delay, and when ready for use shall,
- Building to be  
erected, &c.** with the ground aforesaid, be perpetually leased to the Young Men's Mercantile Library and Mechanics' Institute, on the following terms, viz: the Young Men's Mercantile Library and Mechanics' Institute shall pay to the corporation hereby created, on or before the first day of January, in each year, all necessary repairs and taxes to which said ground and buildings may be subjected, and in addition thereto, a sum not over six per centum per annum, on the whole cost of said ground and building, or such part thereof as shall not have been repaid by the said Mercantile Library to the corporation hereby created;
- To be perpetual-  
ly leased to Mer-  
cantile Library  
and Mechanics'  
Institute.**

and in consideration of the payment of the before-mentioned taxes, repairs and interest, the Mercantile Library and Mechanics' Institute shall forever have entire possession and control of said ground and the buildings erected thereon, and shall have power to sub-let the whole, or any portion thereof, and collect the rent and revenues, and make appropriation of the same: *Provided* Proviso. *nevertheless*, That whatever rents and revenues they may receive, over and above the amount of the taxes, interest and repairs, shall be paid to the corporation hereby created, to reimburse the same for the cost of the ground and buildings: *And provided further*, That if the Mercantile Library and Mechanics' Institute shall, at any time, be in arrears for two whole years' taxes, repairs and interest, then they shall forfeit their lease aforesaid, and the corporation hereby created may, after six months' notice to the president and managers of said Mercantile Library, take possession of the aforesaid ground and buildings; in that event, the corporation hereby created, shall annually pay to the Mercantile Library and Mechanics' Institute, such proportion of the net revenue from the aforesaid ground and buildings, as the amount paid by the Mercantile Library and Mechanics' Institute, towards the reimbursement of the cost of the ground and buildings, shall be to the whole cost thereof, and in case of sale of the whole or any part of the said Mercantile Library and Mechanics' Institute, shall be entitled to a like proportion of the proceeds of sale. Proviso.

SECTION 5. That on or before the completion of said buildings, the corporation hereby created shall enter into good and sufficient covenant with the Mercantile Library and Mechanics' Institute, to convey to said corporation, all the right, title and interest of the corporation hereby created, in the ground and buildings aforesaid, so soon as the Mercantile Library and Mechanics' Institute shall have reimbursed the corporation hereby created, its cash outlay for the ground and buildings; and whenever the Mercantile Library and Mechanics' Institute shall tender to the Mercantile Library hall company hereby created, any sum not less than one thousand dollars, in part payment of said cost, the same shall be received, and duplicate receipts given therefor, under the seal of the corporation; the date, amount and purpose of said payment, shall be recorded in a book to be kept by the Library hall company for that purpose, which shall at all proper times be open for the inspection of the officers of the Mercantile Library and Mechanics' Institute, and which shall be carefully preserved by the Library hall company in a place secure as may be from fire, theft or other dangers. Conveyance to Mercantile Library and Mechanics' Institute, relative to.

SECTION 6. That the corporation hereby created may borrow money to an amount not exceeding the sum actually paid in, and may issue its bonds therefor; and its funds shall be expended as provided in this act, in buying suitable ground and erecting and furnishing proper and commodious buildings for the use of the Mercantile Library and Mechanics' Institute; the stock of said company shall be in shares of ten dollars, and shall be personal property, and transferable only on the books of the company; and each share shall be entitled to one vote in elections or the management of the affairs of the company. May borrow money.

When interest to  
be paid to stock-  
holders.

SECTION 7. That on and after the first day of January, in each year, the treasurer of the Library hall company shall pay over to the stockholders, *pro rata*, the sum of money which shall have been received during the preceding year, for interest from the Mercantile Library and Mechanics' Institute.

Reservation.

SECTION 8. That the legislature hereby reserves the right to repeal, alter or amend this act, in such manner as shall do no injustice to the corporators.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

JNO. CRESSWELL, JR.,  
*Speaker of the Senate.*

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

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No. 666.

## A N A C T

To change the name of the Keystone Lancers.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the name of the Keystone Lancers, a military company in the county of Berks, is hereby changed to that of Keystone Dragoons; and that all the rights, positions and privileges to which the said company is now entitled, shall continue the same, under the said name of Keystone Dragoons, as heretofore.

SIMEON B. CHASE,  
*Speaker of the House of Representatives pro tem.*

JNO. CRESSWELL, JR.,  
*Speaker of the Senate.*

APPROVED—The nineteenth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 667.

## A N A C T

To incorporate the village of Corsica, in the county of Jefferson, into a borough.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the village of Corsica, in Jefferson county, and the territory adjacent thereto, comprised within the following boundaries, to wit: Beginning on the county line dividing Clarion and Jefferson, at the south-west corner of Samuel Hindman's farm; thence south eighty-eight and a half degrees east by lands of Samuel Hindman and Samuel Willson one hundred and ninety-four perches to a post; thence south fifty-one and a half degrees east by land of Samuel Willson eighty-four perches to a post; thence south one and a half degrees west by land of William H. Barr one hundred and thirty-two perches to a post; thence north eighty-eight and a half degrees west by land of Ledwick and others two hundred and sixty perches to a post on county line; thence along said line north one degree east one hundred and eighty-two perches to the place of beginning, containing two hundred and eighty-six acres and five perches, be and the same is hereby erected into a borough, to be called the borough of Corsica, and shall enjoy the privileges, and be subject to the limitations and restrictions not herein otherwise provided for by the general laws of this commonwealth relating to boroughs.

Boundaries.

SECTION 2. That said borough shall form a separate election and school district.

Separate election and school district.

SECTION 3. That the qualified electors of said borough shall, on the fourth Friday of March next, and on the day established by law for township elections in Union township, Jefferson county, every year thereafter, meet at the school house in said borough, and then and there, between the hours of one and six o'clock in the afternoon, elect, by ballot, one reputable person to be styled burgess, and four other persons to be members of the town council, one assessor and two assistant assessors, when required by the laws of this commonwealth, one justice of the peace, one person for constable, who shall act as high constable, one judge and two inspectors of elections; and at the first election, six school directors, two to serve for one year, two for two years, and two for three years, and two school directors annually thereafter, to serve for three years; all of which said officers must be citizens of said borough, and have resided therein at least six months next preceding such election; the said election shall be conducted in the same manner as is provided for the election of township officers of this commonwealth, except that the certificates of the election of burgess, councilmen and school directors, shall be filed among the records of the corporation: *Provided*, That the officers elected at the first election to be held

Annual borough election, when and where held.

Officers.

Qualification of officers.

Previous.



under this act, shall hold their respective offices only until their successors shall be duly qualified to act.

First election.

SECTION 4. That the first election under this act shall be held by a judge and two inspectors, to be chosen by the qualified electors of said borough present at the opening of the election; and the inspectors thus chosen shall each appoint a clerk; and the constable of Union township is hereby required to attend at the school house of said borough, on the said fourth Friday of March next, at one o'clock in the afternoon, and open said election, and to give at least five days' previous notice, by at least five written advertisements, in said borough: *Provided*, That if the said constable should fail to be present at the time aforesaid, the said election may be opened by any qualified elector of said borough.

Proviso.

Care of the poor.

SECTION 5. The burgess and town council of said borough shall have the care of the poor of said borough, and all the powers and duties of overseers of the poor shall be exercised and performed by them, subject to such penalties for neglect of duty as is provided by the laws of this commonwealth for the care of the poor.

Samuel Hindman's farm to be attached to for school purposes.

SECTION 6. That the farm and premises of Samuel Hindman, in Union township, Jefferson conty, and which joins said borough on the north, be attached to the borough for school purposes, and that the same be subject to the same taxation for the purposes aforesaid, as other property in the borough of Corsica is now subject.

School directors, duties of, &c.

SECTION 7. That the school directors elected under this act shall perform the same duties, and possess the like powers, in all respects, as school directors elected agreeably to the general laws of this commonwealth; and those first elected shall, immediately after their election, cause to be made an enumeration of the taxable inhabitants of said borough, and the president of the board of directors shall certify the same to the superintendent of the common schools, who is hereby directed to adopt the number of taxables, so certified, as a basis of distribution to said borough of its share of the state appropriation.

Real estate.

SECTION 8. That the corporation aforesaid shall have power to purchase and hold such real and personal estate as the purposes of the borough shall require, not exceeding the yearly value of one thousand dollars, and to convey the same, when the interest of the borough will be promoted by it.

SIMEON B. CHASE,

*Speaker of the House of Representatives pro tem.*

JNO. CRESSWELL, JR.,

*Speaker of the Senate.*

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.



No. 668.

## A N A C T

Changing the name of Prescott Packard Peck.

WHEREAS, Daniel B. Packard and Celestia, his wife, of the borough of West Greenville, in the county of Mercer, having by consent of and agreement with Orrin Peck and Priscilla, his wife, of the same place, adopted Prescott Packard Peck, son of said Orrin and Priscilla, and being desirous that he should enjoy all the rights and privileges as if he were their own child; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the name of said Prescott Packard Peck be and hereby is changed to Daniel Prescott Packard, by which name he shall henceforth be called and known, and by that name shall be able and capable, in law, of suing and being sued, grant, receive, take and inherit any estate, real and personal, and to do all other acts as effectually as if he had always been known by that name; and that the said Daniel Prescott Packard shall be entitled to have and enjoy all the rights and privileges to which he would be entitled if he were a child of said Daniel B. and Celestia Packard; and that the said Daniel Prescott Packard shall be able and capable, in law, to take, hold, inherit and possess, pass and transmit all and every estate, real and personal whatsoever, of the said Daniel B. and Celestia Packard, and to all intents and purposes as if he were a child born of the said Daniel B. and Celestia Packard, in lawful wedlock.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

JNO. CRESSWELL, JR.,  
*Speaker of the Senate.*

APPROVED—The twenty-third day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 669.

## A N A C T

To incorporate the Uniontown Gas and Water Company.

Corporators.	<p>SECTION 1. <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That</i> Eleazor Robinson, John K. Ewing, Ellis B. Dawson, William Skiles, Daniel Dawner, John S. Harrah, Daniel Kaine, Ewing Brownfield, John W. Barr, and their successors and associates, be and the same are hereby made and constituted a body politic and corporate, by the name and style of the Uniontown gas and water company, and by the said name, they and their successors shall and may have perpetual succession, and shall be, in law, capable of suing and being sued, pleading and being impleaded in all courts and judicatories whatever, and also of contracting and being contracted with, relative to the business and objects of said corporation as hereinafter declared; and they and their successors may have a common seal, and may change and alter the same at pleasure; and shall have power to lease and purchase, in fee simple, or otherwise, such real estate as may be necessary for carrying on the business of said corporation, and in their corporate name to borrow money, and to make and execute obligations for the liabilities created in the transaction of said business of the corporation.</p>
Style.	
Powers.	
Gas to be supplied.	<p>SECTION 2. That the said corporation shall have exclusive authority to supply with gas light or water the borough of Uniontown and its vicinity, in the county of Fayette, and such persons, partnerships and corporations, residing therein, as may desire the same, at such price as may be agreed on; and also to make and erect, within or adjacent to said borough, the necessary buildings, machinery and apparatus for manufacturing and distributing the same, with the right to enter upon any public street, lane, alley or highway, for the purpose of laying down pipes, altering, inspecting and repairing the same, doing as little damage to said streets, lanes, alleys or highways, and impairing the free use thereof as little as possible.</p>
Capital stock.	<p>SECTION 3. That the capital stock of said corporation shall be thirty thousand dollars, to be divided into shares of twenty-five dollars each, and may be increased from time to time, not to exceed seventy thousand dollars, as the managers thereof shall deem necessary; for all of which stock certificates shall be issued, signed by the president and countersigned by the secretary, and sealed with the common seal of said corporation, which certificates shall be transferable only by the owner thereof, or by attorney, duly authorized for that purpose, in the presence of the president or secretary, in a book kept for that purpose by said corporation: <i>Provided</i>, That a majority of the managers are satisfied said transfer shall be made.</p>
Proviso.	

SECTION 4. That the said named persons, or a majority of them, shall, as soon as one hundred shares of stock are subscribed, give at least two weeks' previous notice, in two newspapers published in said borough, of the time and place by them appointed for the subscribers to meet, in order to organize the said company, and to choose, by a majority of votes of the said subscribers, by ballot, to be given in person or by proxy, duly authorized, six managers, to serve until their successors shall be duly elected, which shall be annually, on the first Monday in March thereafter; and said managers shall have power to select one of their number as president, and also a secretary and treasurer, to serve for the same term; and the manner of conducting said election shall be prescribed in the by-laws of said corporation; and at all elections the stockholders shall be entitled to one vote for such share of stock *bona fide* held by him, her or them, either as trustees, executors or administrators, at the time of holding said election: *Provided*, That in case of a vacancy in the board of managers, the same may be supplied by an election, held by the residue of the board, until the next annual election.

Organization.

Officers.

Votes.

Proviso.

SECTION 5. That the board of managers of this corporation shall have power to make by-laws for their own regulations, not inconsistent with the laws of this commonwealth, and shall keep minutes of their proceedings, which shall at all proper times be open to the inspection of the stockholders, and all such acts and things, for the proper regulation and government of the corporation, as they may deem necessary; they shall have power to declare dividends of so much of the net profits of the corporation as shall appear to them to be advisable, and at such times as the by-laws may fix, which shall be paid to the stockholders, on demand, ten days after the same shall have been declared.

Powers.

SECTION 6. That if any person or persons shall open a communication into the gas or water pipes of the said company, without authority from the proper officer thereof, or shall let on the gas or water after it has been stopped by order of the company or its authorized agent, or use any gas without drawing it through the metres put up for the purpose of measuring the same, or shall put up any pipes or burners without having them inspected and approved by the proper officer appointed by the corporation to inspect at proper times and under circumstances, the pipes, metres and burners, et cetera, put up in any building, he, she or they, so offending, shall be subject to a penalty of not less than twenty nor more than eighty dollars, to be recovered before any justice of the peace, as debts under one hundred dollars are recovered, one-half to go to the informer, who shall be a competent witness, the other half to the company.

Penalty for using gas or water without authority.

SECTION 7. That if any person shall wilfully or maliciously do or cause to be done any act or acts whatever, whereby any building, construction or works of said company, or any gas or water pipe, gas post or water hydrant, gas burner or reflector, or any matter or thing appertaining to the same, shall be stopped, obstructed, injured or destroyed, the person or persons, so offending, shall be considered guilty of a misdemeanor, and may

Penalty for injury to works.

be therefor indicted in the court of quarter sessions, and on conviction thereof shall be punished by a fine of not less than one hundred dollars, nor more than five hundred dollars, or be imprisoned for a period of time not less than ten days nor more than one year, or both, at the discretion of the court: *Provided*, That such prosecution shall in no way impair the right of said company to a full compensation in damages by a civil suit.

**Payment of stock** SECTION 8. That if any subscriber for stock to said company, or his, her or their assigns, shall refuse or neglect to pay any instalment called for by the said company, at the place appointed, and the same shall remain unpaid for thirty days after the time appointed, he, she or they shall, in addition to the instalment called in, pay at the rate of five per centum per month for delay; and if the same shall remain so long that the penalty shall amount to the sum actually paid in by the said stockholders, it shall be in the power of the said company to forfeit said stock, and the amount paid thereon may be disposed of by the said company as will best promote their objects.

**May issue certificates of credit** SECTION 9. That the managers of said company are hereby authorized to issue certificates of credit or evidences of indebtedness for any sum or sums of money, not exceeding twenty thousand dollars at any one time, for the purpose of aiding them in the construction of their works and managing the business of the company; said certificates shall be signed by the president and attested by the secretary, and shall have such interest as may be agreed upon, not exceeding eight per centum per annum; said certificates shall be made payable at the office of the company, within twenty years from the time of issuing thereof:

**Provido.** *Provided*, That said certificates shall not issue for a less sum than one hundred dollars; and, to secure the payment of said certificates, there shall be a general mortgage given upon the real estate and all the effects of the said company, for the benefit of such person or persons as may at any time hold certificates: *Provided*, That stockholders of said company shall be jointly and severally liable, in their individual capacities, for all debts due mechanics, workmen and laborers employed by, and for material furnished to, said company, to be sued for and collected as provided in the twelfth, thirteenth and fourteenth sections of an act incorporating the Lackawanna iron and coal company, approved April fifth, one thousand eight hundred and fifty-three; and that the said company shall pay such taxes upon dividends as is or may be required by law.

**Individual liability.**

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

JNO. CRESSWELL, Jr.,  
*Speaker of the Senate.*

APPROVED—The twenty-sixth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 670.

## A N A C T

To incorporate the New Castle Water Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Jacob Lindenmuth, Solomon Hoover, Robert Phillips, junior, Commissioners. George W. Slater, Ephraim Phillips, George W. Mortimer, Strange N. Palmer, Allen Fisher and Benjamin N. Titus be and are hereby appointed commissioners, who, or a majority of whom, are hereby authorized to establish a water company, by the name, style and title of the New Castle water company, to Style. be located at or near the town of New Castle, in the county of Schuylkill, for the purpose of introducing from Butcher creek, or other convenient source, into the said town of New Castle, a Location. sufficient supply of pure and wholesome water; said company to have a capital of three thousand dollars, divided into one hun- Capital. dred and fifty shares of twenty dollars each, and shall be organized and managed under the provisions of an act to provide for Subject to. the incorporation of gas and water companies, approved the eleventh day of March, Anno Domini one thousand eight hundred and fifty-seven, and any supplements thereto.

SECTION 2. That the company hereby incorporated shall have Powers. power and authority to change all or any part of the location of the dams, reservoirs and pipes belonging to said company, on said Butcher creek, from the town of New Castle to the Big spring, the fountain head of said creek, including the right to use said spring: *Provided,* That all damages resulting to pro- Proviso. perty along said Butcher creek, from said change, shall be assessed and paid as provided by the act of assembly hereinbefore named.

SECTION 3. That the said company shall not extend their pipes Extension of beyond the junction of Broad and Centre streets, in said town, Pipes, relative to. unless said extension is authorized by a vote of two-thirds of the stock paid in at the time the vote is taken.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

JNO. CRESSWELL, JR.,  
*Speaker of the Senate.*

APPROVED—The twenty-sixth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 671.

## AN ACT

To incorporate the Mahanoy and Broad Mountain Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

Commissioners.

John M. Bickel, A. W. Juvenal and William Bowers, of the city of Philadelphia; and F. W. Hughes, Frank Pott, Wellington Kline, Peter Seitzinger, Jacob Huntzinger, Jr., Emanuel J. Fry, John D. Deibert and F. B. Kaercher, of the county of Schuylkill, are hereby appointed commissioners, a majority of whom

Style.

are hereby authorized to open books, receive subscriptions, and organize a company, by the name, style and title of the Mahanoy and Broad Mountain railroad company, with power and authority to construct a railroad, beginning at a point in Mahanoy or Butler townships, in the county of Schuylkill; thence by the

Route.

most expedient and practicable route to connect with the Philadelphia and Reading railroad, or any of its tributaries, with the privilege of making lateral roads into the Mine Run, Shannandoah, Mahanoy and New Boston coal basins, subject to all the

Subject to

provisions and restrictions of the act, entitled "An Act regulating railroad companies," approved the nineteenth day of February, one thousand eight hundred and forty-nine, so far as the same is not altered or supplied by this act; and the said Mahanoy and Broad Mountain railroad company shall have the right, subject to the provisions and restrictions of the act aforesaid, to connect their railroad, by lateral or branch roads, with the Shamokin Valley and Pottsville railroad, in Northumberland county, and to connect with any other railroad, constructed or to be constructed, in either of the counties aforesaid, which the said company may intersect upon the line of their route.

May connect  
with certain  
other road.

Capital stock.  
Proviso.

SECTION 2. That the capital stock of said company shall consist of five thousand shares of fifty dollars each: *Provided*, That the said company may, from time to time, by a vote of the stockholders, at a meeting called for that purpose, increase their capital stock as much as, in their opinion, may be necessary to complete and equip the said railroad and extensions, laterals and branch roads authorized by this act, and to carry out the true intent and meaning thereof.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

JNO. CRESSWELL, JR.,  
*Speaker of the Senate.*

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.



No. 672.

## A N A C T

To incorporate the Hanover Gas Light Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Jacob Wirt, H. W. Emmert, F. E. Metzgar, George W. Welsh, Corporators. Stephen Keefer, Doctor John Culbertson, F. M. Baughman, Joseph E. Cremer, John R. Stine, William Grumbine, Abner W. Forney, L. F. Melsheimer, Henry Eichelberger, and all such persons as shall associate with them by becoming stockholders in the manner hereinafter provided, their successors and assigns, are hereby made and constituted a body politic and corporate, by the name, style and title of the Hanover gas light company ; Style. and by that name shall have perpetual succession, and shall be capable in law to sue and be sued, to plead and be impleaded, Powers. to answer and be answered, in any court of law or equity ; to make and use a common seal, and to alter the same ; and generally to do and perform all such acts, and make all such agreements and contracts, and to purchase, lease, hold, use and possess such lands, tenements and hereditaments, goods and chattels, as may be necessary for carrying on the manufacture of, or procuring or collecting gas or inflammable air, and preserving, using and distributing the same, as the means of lighting the public and private houses, streets, squares, lanes, alleys and other places in the borough of Hanover and its precincts, or for carrying on any manufacture necessary for converting to useful purposes the products of any substances which may be employed in making or procuring gas, and for disposing of the same, and such other powers as may be necessary to carry into effect the purposes of this act : *Provided,* That the said company shall not Provided. possess or hold, at any one time, real and personal estate together, above the value of one hundred thousand dollars, without the consent of the legislature.

SECTION 2. That the aforementioned persons, or a majority of Subscriptions to capital stock. them, may cause books to be opened at such times and places as they may direct, giving public notice thereof, for the purpose of receiving subscriptions to the capital stock of the said company, which shall be divided into shares of twenty dollars each, and be limited to two thousand shares.

SECTION 3. That as soon as four hundred shares of capital Election of officers. stock shall be subscribed as aforesaid, the persons above named, or a majority of them, shall call a general meeting of the stockholders, at such time and place as they may appoint, and at such meeting the stockholders shall elect a president and four directors, by ballot, to manage the affairs of the company ; each stockholder, at every election and at every voting, shall be

entitled to have one vote for every share of stock owned by him.

Powers and duty of president and directors.

SECTION 4. That the president and directors for the time being, or a majority of them, shall have power to call for payment of the subscriptions to the capital stock as they may deem necessary, under the penalty to the subscribers forfeiting all previous payments, due notice thereof being given; to appoint all officers and agents to manage the business and affairs of the company; to purchase and lease property, and to erect thereon all suitable buildings and works of the company; to manufacture gas, and dispose of the same, for the purposes hereinbefore stated; to excavate the earth, and lay pipes for gas, in the said borough and its precincts, provided no injury is done thereby, and the burgess and council of the said borough assent thereto; to receive subscriptions for the whole or any part of the capital stock remaining unsubscribed, in such manner and at such times as they may deem proper; to make and pay over to the stockholders, from time to time, dividends of the net profits of the said company; to make rules, regulations and by-laws for the government of said company and its agents and officers, and to take such bonds from them for the faithful performance of their duty, as are deemed necessary; to borrow money, if required by the company, and secure the same by a mortgage on its property.

Terms of officers.

SECTION 5. That the president and directors shall continue in office for one year, and until the election and qualification of their successors; the election shall take place annually, on the first Monday of March, from among the stockholders, by ballot, of which due notice shall be given; and if such election do not then take place, the said corporation shall not thereby be dissolved, but an election may be held on any other day, due notice thereof being given in one or more of the newspapers printed in the borough of Hanover.

Election, when to be held.

Stock to be deemed personal property.

SECTION 6. That the stock of this corporation shall be deemed personal estate, and shall, with all the effects of the company, be liable for its debts; and the stockholders individually shall be liable for all debts due to mechanics, laborers and workmen, and for material furnished to said company, to be sued for and recovered as provided in the twelfth, thirteenth and fourteenth sections of an act incorporating the Lackawanna coal and iron company, approved April fifth, one thousand eight hundred and fifty-three; and the service of any judicial process on the president shall be sufficient service on the company; and the said company shall pay such tax upon its capital stock and dividends as is now or may hereafter be required by law.

Individual liability.

Tax on dividends

Injury to works, penalty for.

SECTION 7. That if any person or persons shall injure the works of this corporation, they shall forfeit and pay the damages sustained therefrom, to be recovered, with costs of suit, in the name of the said corporation, before any justice of the peace having cognizance thereof.

Construction and reservation.

SECTION 8. That nothing herein contained shall be construed to give to the said company any banking privileges; and the legislature hereby reserves the right to alter, amend or repeal the charter hereby created.

SECTION 9. That this act to take effect from the day of its passage. When this act to take effect.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

JNO. CRESSWELL, JR.,  
*Speaker of the Senate.*

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 673.

## A N A C T

To incorporate the Trustees of the Synod of the German Reformed Church in the United States.

WHEREAS, The ministers and elders forming the synod of the German Reformed church in the United States, consisting of citizens of the state of Pennsylvania, and of others of the United States of America, have represented that, by donations, bequests, or otherwise, of charitably disposed persons, they are possessed of moneys for benevolent and pious purposes; and the said ministers and elders have reason to expect farther donations for similar uses, but from the scattered situation of the said ministers and elders, and other causes, the said ministers and elders find it very difficult to manage the said funds in the way best calculated to answer the intention of the donors; therefore, Preamble.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Rudolph F. Kelker, Thomas H. Leinbach, William Heyser, Amos H. Kremer and Daniel W. Gross, and their successors, duly elected and appointed in manner as is hereinafter directed, be and they are hereby made, declared and constituted a corporation and body politic and corporate, to have continuance forever, by the name, style and title of "Trustees of the synod of the German Reformed church in the United States;" and by the name, style and title aforesaid, shall forever hereafter be persons able and capable in law, as well to take, receive and hold, all and all manner of lands, tenements, rents, annuities, franchises and other hereditaments which, at any time or times heretofore, have been granted, bargained, sold, enfeoffed, released, bequeathed, devised, or otherwise conveyed to or acquired by the said ministers and elders of the synod of the German Reformed church in the United States, or any other person or persons, to their use, or in trust for them; and the same lands, tenements, rents, annuities, liberties, franchises and other here- Corporators.  
Style.  
Powers and privileges.

ditaments, including personal property, are hereby vested and established in the said corporation, and their successors, forever, according to the original use and intent for which such devises, bequests, gifts and grants were respectively made; and the said corporation, and their successors, are hereby declared to be seized and possessed of such estate and estates therein as in and by the respective grants, bargains, sales, enfeoffments, release, bequests, devises and other conveyances thereof, is or are declared limited or expressed; also, that the said corporation, and their successors, at all times hereafter, shall be capable and able to purchase, have, receive, take, hold and enjoy, in fee simple, or of less estate or estates, any lands, tenements, rents, annuities, franchises and other hereditaments, by the gift, grant, bargain, sale, alienation, enfeoffment, release, confirmation or devise of any person or persons, bodies politic and corporate, capable and able to make the same; and further, that the said ministers and elders, under the corporate name aforesaid, and their successors, may take and receive any sum or sums of money, and any portion of goods and chattels that have been given to the said ministers and elders, or that hereafter shall be given, sold, leased, devised or bequeathed to the said corporation by any person or persons, bodies politic or corporate, that is able or capable to make a gift, sale, bequest or other disposal of the same; such money, goods or chattels to be laid out and disposed of for the use and benefit of the aforesaid corporation, agreeably to the intention of the donors, and according to the objects, articles and conditions of this act.

Misnomer.

SECTION 2. *And be it further enacted by the authority aforesaid,* That no misnomer of the said corporation, and their successors, shall defeat or annul any gift, grant, devise, bequest to or from the said corporation: *Provided,* The intent of the party or parties shall sufficiently appear upon the face of the gift, will, grant or other writing, whereby any estate or interest was intended to pass to or from the said corporation.

Seal.

SECTION 3. *And be it further enacted by the authority aforesaid,* That the said corporation, and their successors, shall have full power and authority to make, have and use one common seal, with such device and inscription as they shall think fit and proper, and the same to break, alter and renew at their pleasure.

Further powers.

SECTION 4. *And be it further enacted by the authority aforesaid,* That the said corporation, and their successors, by the name, style and title aforesaid, shall be able and capable in law to sue and be sued, plead and be impleaded, in any court, or before any judge or justice, in all and all manner of suits, complaints, pleas, matters and demands of whatsoever nature, kind and form they may be, and all and every matter and thing to do in as full and effectual a manner as any other person or persons, bodies politic and corporate, within this commonwealth, may or can do.

By-laws.

SECTION 5. *And be it further enacted by the authority aforesaid,* That the said corporation, and their successors, shall be and hereby are authorized and empowered to make, ordain and establish by-laws and ordinances, and do everything incident and needful for the support and due government of the said corporation, and managing the funds and revenues thereof: *Pro-*

*vided*, The said by-laws be not repugnant to the constitution and laws of the United States, to the constitution and laws of this commonwealth, to this act, or to the constitution, laws and regulations of the synod of the German Reformed church in the United States. Proviso.

SECTION 6. *And be it further enacted by the authority aforesaid*, That the said corporation shall consist of five persons, neither more nor than less, who shall be members of the German Reformed church, and continue to be members of the said corporation for the term of five years each, the term of office to end always on the first day of January; and the said synod of the German Reformed church shall annually change one-fifth of the said board or corporation, in such manner as to the said synod shall seem proper; but the same person may not be re-elected until after he shall have ceased to be a member of the said board or corporation for at least one year: *Provided however*, That the aforesaid trustees, namely: Rudolph F. Kelker, Thomas H. Leinbach, William Heyser, Amos H. Kremer and Daniel W. Gross, shall continue in office as follows: One of them until the first day of January, in the year of our Lord one thousand eight hundred and sixty-one, one until the first day of January, one thousand eight hundred and sixty-two, one until the first day of January, one thousand eight hundred and sixty-three, one until the first day of January, one thousand eight hundred and sixty-four, and one until the first day of January, one thousand eight hundred and sixty-five; these different terms of office to be distributed by lot or otherwise by the said corporation among themselves, at their first meeting; and further, if the place of any member of the said corporation be made vacant, by death, resignation or otherwise, it shall be the duty of the remaining members of the said corporation, at the first meeting held at which such vacancy shall become known, to elect and appoint a person who is a member of the German Reformed church to the office of trustee, or a member of the said corporation, who shall, however, hold office only for the unexpired term of the member creating such vacancy; and the person thus elected by the said corporation shall not be re-eligible by the synod aforesaid, until after he has ceased to be a trustee for the period of at least one year; and further, if the synod aforesaid fail, during any year, to change one-fifth of the members of this board or corporation, then the vacancy occurring on the first day of January, according to the provisions and restrictions of this act, shall be filled by the said corporation; and the person thus elected and appointed shall be a member of the said corporation for the term of five years. Members of corporation to be members of the German Reformed church.  
Terms of office.  
Proviso.

SECTION 7. *And be it further enacted by the authority aforesaid*, That the corporation aforesaid shall have power and authority to manage and dispose of all moneys, goods, chattels, lands, tenements and hereditaments, and other estate whatsoever, committed to their care and trust by the said synod of the German Reformed church; but in cases where special instructions for the management and disposal thereof shall be given by the said synod, in writing, under the hand of their clerk, it shall be the duty of the said corporation to act according to such instructions: *Provided*, The said instructions shall not be repug- Further powers and duties.  
Proviso.



nant to the constitution and laws of the United States, or the constitution and laws of this commonwealth, or to the provisions and restrictions in this act contained.

Officers.

SECTION 8. *And be it further enacted by the authority aforesaid,* That the said corporation shall and may have a president, a vice president, who shall also be the secretary or clerk, and a treasurer; the president and vice president to be chosen by the said corporation, out of their own number, as often as they shall see proper, and according to the rules by them to be prescribed; but the treasurer to be elected annually by the said synod, from among the members of the said corporation, in such manner as to the said synod shall seem proper; and the same person shall be re-eligible to the office of treasurer by the said synod, from year to year, so long as he continues to be a member of the said corporation; and the said corporation shall have authority to appoint such other officers and servants as shall by them, the said corporation, be deemed necessary; to all which officers the said corporation may assign such a compensation for their services, and such duties to be performed by them, to continue in office for such time, and to be succeeded by others in such way, the treasurer being excepted, conformably to the provisions of this act, as the said corporation shall direct.

Treasurer to be elected annually

Appointment of officers, servants, &c.

Quorum.

SECTION 9. *And be it further enacted by the authority aforesaid,* That three members of this board or corporation, whereof the president, or in his absence the vice president, shall be one, shall be a sufficient number to transact the business thereof, and to make by-laws, rules and regulations: *Provided,* That previous to any meeting of the board or corporation for such purposes, not appointed by adjournment, ten days' notice shall be previously given thereof, by a circular sent by mail or otherwise to each member of the corporation.

Proviso.

To keep regular and fair entries of proceedings.

SECTION 10. *And be it further enacted by the authority aforesaid,* That the said corporation shall keep regular and fair entries of their proceedings, and a just account of their receipts and disbursements, in a book or books to be provided for that purpose; and their treasurer shall, once in every year, exhibit to the synod of the German Reformed church in the United States, an exact state of the accounts of the corporation.

Yearly income, relative to.

SECTION 11. *And be it further enacted by the authority aforesaid,* That the said corporation may take, receive, purchase, possess and enjoy messuages, houses, lands, tenements, rents, annuities and other hereditaments, real and personal estate of any amount, not exceeding ten thousand dollars yearly value; but the said limitations not to be considered as including the annual collections and voluntary contributions made in the churches under the care of the said synod of the German Reformed church.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

JNO. CRESSWELL, JR.,  
*Speaker of the Senate.*

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.



No. 674.

## A N A C T

To incorporate the Bedford Gas Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That William T. Daugherty, John Cessna, Jacob Reed, William P. Schell, Samuel H. Tate, E. L. Anderson, Samuel L. Russell, Daniel Washabaugh, Alexander King, George D. Shuck, John Mower and Oliver E. Shannon, and their successors and associates, be and the same are hereby made and constituted a body politic and corporate, by the name and style of the Bedford gas company, and by the said name, they and their successors shall and may have perpetual succession, and shall be in law capable of suing and being sued, pleading and being impleaded in all courts and judicatories whatever, and also of contracting and being contracted with, relative to the business and objects of said corporation, as hereinafter declared; and they and their successors may have a common seal, and may change and alter the same at pleasure, and shall have power to lease and purchase, in fee simple, or otherwise, such real estate as may be necessary for carrying on the business of said corporation, and in their corporate name to borrow money, and to make and execute obligations for the liabilities created in the transaction of said business of the corporation.

Corporators.

Style.

Powers.

SECTION 2. That the said corporation shall have exclusive authority to supply with gas light, the borough of Bedford and its vicinity, in the county of Bedford, and such persons, partnerships and corporations residing and being therein, as may desire the same, at such price as may be agreed on; and also to make and erect, within said borough, or adjacent thereto, the necessary buildings, machinery and apparatus, for manufacturing and distributing the same, with the right to enter upon any public street, lane, alley or highway, for the purpose of laying down pipes, altering, inspecting and repairing the same, doing as little damage to said streets, lanes, alleys or highways, and impairing the free use thereof as little as possible.

Gas works.

SECTION 3. That the capital stock of said corporation shall be thirty thousand dollars, to be divided into shares of twenty-five dollars each, and may be increased from time to time, not to exceed fifty thousand dollars, as the managers thereof shall deem necessary; for all of which stock, certificates shall be issued, signed by the president and countersigned by the secretary, and sealed with the common seal of said corporation, which certificates shall be transferable only by the owner thereof, or by attorney duly authorized for that purpose, in the presence of the president or secretary, in a book kept for that purpose by said corporation: *Provided,* That a majority of the managers are satisfied said transfer shall be made.

Capital stock.

Proviso.

## Organization.

SECTION 4. That the said named persons, or a majority of them, shall, as soon as one hundred shares of stock are subscribed, give at least two weeks' previous notice, in two newspapers published in said borough, of the time and place by them appointed for the subscribers to meet, in order to organize the said company, and to choose by a majority of votes of the said subscribers, by ballot, to be given in person or by proxy duly authorized, six managers, to serve until their successors shall be duly elected, which shall be, annually, on the first Monday in March thereafter; and said managers shall have power to select one of their number as president, and also a secretary and treasurer, to serve for the same term, and the manner of conducting said election shall be prescribed in the by-laws of said corporation; and at all elections the stockholders shall be entitled to one vote for each share of stock *bona fide* held by him, her or them, either as trustees, executors or administrators, at the time of holding said election.

## By-laws.

SECTION 5. That the board of managers of this corporation shall have power to make by-laws for their own regulations, not inconsistent with the laws of this commonwealth, and shall keep minutes of their proceedings, which shall at all proper times be open to the inspection of the stockholders, and all such acts and things for the proper regulation and government of the corporation as they may deem necessary; they shall have power to declare dividends of so much of the net profits of the corporation, as shall appear to them to be advisable, and at such times as the by-laws may fix, which shall be paid to the stockholders, on demand, ten days after the same shall have been declared.

## Dividends.

## Penalty for illegally using gas.

SECTION 6. That if any person or persons shall open a communication into the gas pipes of the said company, without authority from the proper officer thereof, or shall let on the gas after it has been stopped by order of the company or its authorized agent, or use any gas without drawing it through the metres put up for the purpose of measuring the same, or shall put up any pipes or burners without having them inspected and approved by the proper officer appointed by the corporation to inspect, at proper times, and under circumstances, the pipes, metres and burners, et cetera, put up in any building, he, she or they so offending, shall be subject to a penalty of not less than twenty, nor more than eighty dollars, to be recovered before any justice of the peace, as debts under one hundred dollars are recovered, one-half to go to the informer, who shall be a competent witness, the other half to the company.

## Penalty for injury to works.

SECTION 7. That if any person shall wilfully or maliciously do, or cause to be done, any act or acts whatever, whereby any building, construction or works of said company, or any gas pipe, gas post, gas burner or reflector, or any matter or thing appertaining to the same, shall be stopped, obstructed, injured or destroyed, the person or persons, so offending, shall be considered guilty of a misdemeanor, and may be therefor indicted in the court of quarter sessions, and on conviction thereof, shall be punished by a fine of not less than one hundred dollars, nor more than five hundred dollars, or be imprisoned for a period of time not less than ten days, nor more than one year, or both, at the discretion of the court: *Provided*, That such prosecution

## Proviso.

shall in no way impair the right of said company to a full compensation in damages by a civil suit.

SECTION 8. That if any subscriber for stock to said company, <sup>Payment of stock</sup> or his, her or their assigns, shall refuse or neglect to pay any instalment called for by the said company at the place appointed, and the same shall remain unpaid for thirty days after the time appointed, he, she or they shall, in addition to the instalment called in, pay at the rate of five per centum per month for delay; and if the same shall remain so long, that the penalty shall amount to the sum actually paid in by the said stockholders, it shall be in the power of the said company to forfeit said stock, and the amount paid thereon may be disposed of by the said company as will best promote their objects.

SECTION 9. That the managers of said company are hereby <sup>May issue cer-</sup> authorized to issue certificates of credit, or evidences of indebt- <sup>tificates of credit,</sup> edness, for any sum or sums of money, not exceeding twenty <sup>&c.</sup> thousand dollars at any one time, for the purpose of aiding them in the construction of their works, and managing the business of the company; said certificates shall be signed by the president and attested by the secretary, and shall have such interest as may be agreed upon, not exceeding eight per centum per annum; said certificates shall be made payable at the office of the company, within twenty years from the time of issuing thereof: <sup>Proviso.</sup> *Provided*, That said certificate shall not issue for a less sum than one hundred dollars; and to secure the payment of said certificates, there shall be a general mortgage given upon the real estate, and all the effects of the said company, for the benefit of such person or persons as may at any time hold certificates: <sup>Individual lia-</sup> *Provided*, That stockholders of said company shall be jointly <sup>bility.</sup> and severally liable, in their individual capacities, for all debts due mechanics, workmen and laborers employed by, and for material furnished to said company, to be sued for and collected as provided in the twelfth, thirteenth and fourteenth sections of an act incorporating the Lackawanna iron and coal company, approved April fifth, one thousand eight hundred and fifty-three.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

JNO. CRESSWELL, JR.,  
*Speaker of the Senate.*

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 675.

## A FURTHER SUPPLEMENT

To the act incorporating the Duncannon, Landisburg and Broad Top Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act the Shermans Valley and Broad Top railroad company shall be named instead thereof the Pennsylvania Pacific railway company, with all the privileges and authorities to which they were entitled under their former name, and be subject to all restrictions and liabilities to which they were subject under the same.

SECTION 2. That the Pennsylvania Pacific railway company shall have authority to extend their railway westward to the state line of Maryland and Virginia, if the directors thereof shall so determine.

SECTION 3. That said railway company shall construct twenty-five miles of railway within five years from and after the passage of this act, otherwise the act to which this is a supplement shall be null and void.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

JNO. CRESSWELL, JR.,  
*Speaker of the Senate.*

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 676.

## AN ACT

To incorporate the Pittsburg Park Association.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Isaac Jones, Joseph Woodwell, Wm. G. Lyon, T. B. Lyman, Jost Ruck, Springer Harbaugh, R. H. Hartley, J. F. M'Kenzie, W. J. Anderson, John S. Dilworth, James Laughlin, Chistopher

Zug, J. M'Donald Crossan, E. D. Gazzam, William Bagaly, Reece C. Fleeson, Samuel Riddle, their associates and successors, be and the same are hereby created a body politic and corporate, by the name, style and title of the Pittsburg park association, and by that name shall sue and be sued, and shall generally possess the powers and privileges of a corporation.

SECTION 2. That the capital stock of said company shall be one hundred and fifty thousand dollars, with the privilege of increasing the same to two hundred thousand dollars, divided into shares of fifty dollars each. Capital stock.

SECTION 3. That the stockholders of said company shall have the right, at their first or any subsequent meetings, to establish such by-laws, for the government of the company, and for the regulation of the grounds and buildings, as they may deem expedient: *Provided*, The same be not inconsistent with the provisions of this act. By-laws. Proviso.

SECTION 4. That at all meetings or elections, held by said company, each stockholder shall be entitled to one vote for each share of stock held by him. Votes.

SECTION 5. That the members shall, from time to time, determine the number of their directors and officers, and shall clothe them with such powers, not inconsistent with the provisions of this act, as they shall deem expedient. Officers.

SECTION 6. That the objects of said company shall be to provide, keep and maintain, in the city of Pittsburg, and city districts adjoining thereto, grounds and other real and personal estate, of a net yearly value not exceeding six thousand dollars, suitable for gymnastic and other exercises, and amusements and purposes, and for agricultural, floral or mechanical exhibitions; but nothing herein contained shall be so construed as to permit any thing that is unlawful being done on the premises: *And provided*, That said company shall hold lands in the city and rural districts, not less than fifty nor exceeding, in the whole, one hundred acres. Objects. Proviso.

SECTION 7. That so much of the profits of said company as shall be deemed expedient by the directors, shall, from time to time, be divided amongst the stockholders, or their legal representatives; but no dividend shall be declared which will impair the capital of the company. Profits, how divided, &c.

SECTION 8. That the president and directors shall be elected, by ballot, by the members of said company, at such time and place as shall be agreed upon by a majority of the corporators named in the first section of this act, after giving at least one week's notice thereof, in at least one newspaper published in the city of Pittsburg; and the president and directors, who shall be elected at that time, shall hold their offices until the first Monday of December next, or until their successors shall have been chosen; and on the said first Monday of December next, and on the same day in every year thereafter, there shall be an election for president and directors of the company, who shall continue in office for one year, or until their successors shall have been chosen; said election to be held at such place as the by-laws shall determine, or the president and directors agree upon. Election of president and directors. Terms of.

SECTION 9. That an annual meeting of the members shall be held on the first Monday of December of each year, notice of Annual meeting.

which shall be sent by the secretary to each member; but special meetings of the members shall be called by the board of directors at any time, and shall likewise be called by the president, at the request, in writing, of fifteen members; one week's notice of such meeting shall be previously published in at least two newspapers, of the city of Pittsburg, by the secretary, as aforesaid.

**Membership.**

SECTION 10. That every original subscriber shall be a member; but no transfer of stock shall confer the right of membership upon the transferee, or entitle him to vote at any meeting or election of said company, except such transfer shall be approved by the board of directors, in such manner as the by-laws shall provide.

**Reservation.**

SECTION 11. That the legislature reserve the right to alter or revoke this charter, whenever its continuance shall become injurious to the interests of the public; in such manner, however, as no injustice shall be done to the stockholders.

**May be transferred to city of Pittsburg.**

SECTION 12. If at any time, within three years from the passage of this act, the select and common councils of the city of Pittsburg, by ordinance, duly recorded, shall provide for the payment to the said association, for the use of the stockholders thereof, the full amount which said association shall have paid or agreed to pay for said grounds and the improvements thereon, together with six per cent. interest thereon, and all necessary expenses incurred in the organization of said association and in the conduct of their business, then and in that case the said association shall surrender, transfer and make over to the city of Pittsburg, all their right, title and interest in and to the said grounds and improvements thereon, and other property of whatsoever kind, belonging to said association, for the use and free enjoyment forever of the inhabitants of said city; and after said surrender and transfer, all the rights, powers and privileges granted to said park association by the provisions of this act, shall vest in the city of Pittsburg; and it shall be the duty of the select and common councils of said city to establish all such rules and regulations, and pass such ordinances as may be necessary for carrying out the objects of this bill, which are hereby declared to be to secure forever to the inhabitants of said city of Pittsburg, ornamented squares, parks and public grounds for the recreation, lawful amusement and promotion of the health of said inhabitants.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

JNO. CRESSWELL, JR.,  
*Speaker of the Senate.*

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.



No. 677.

## A N A C T

To change the name of the Denuska Gas Company, of Allentown, Lehigh county, and for other purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the name, style and title of the Denuska gas company, of Allentown, Lehigh county, be and the same is hereby changed to the Allen gas company, of Allentown, and shall have privilege, whenever it may be deemed expedient, to increase its capital stock to the sum of sixty thousand dollars, or, in lieu of said increase of capital, to borrow money, to an amount not exceeding the amount said capital stock may be increased. Title changed.

SECTION 2. The said company shall have privilege and authority to lay gas mains and pipes beyond the limits of the borough of Allentown, and supply with gas light such individuals, corporations or companies as may desire the same, with all the powers, privileges and authorities it had under the former name, and be subject to all the restrictions and liabilities to which the said corporation was subject to under the same. May extend works.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

JNO. CRESSWELL, JR.,  
*Speaker of the Senate.*

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 678.

## A N A C T

To incorporate the Towanda Water Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That G. F. Mason, John Laporte, J. D. Montayne, Charles Wells and Jesse Spaulding, and their successors, associates and assigns, be and they are hereby constituted a body corporate and politic, Corporators.

Style.	by the name, style and title of the Towanda water company, for the purpose of constructing and maintaining a canal, from the pool of the Towanda dam, down to the west side of the Susquehanna river, not to exceed one mile, and to use the same as a water power; and the same corporation, by the same name, shall have perpetual succession, and is hereby declared and made capable in law, to sue and be sued, to plead and be impleaded, to have and use a common seal, and the same to alter and renew at pleasure, to make rules and by-laws for the regulation and management of the said corporation, consistent with the laws of the United States and this commonwealth, and generally to do and execute, for the well being of said company, whatever shall lawfully pertain to such bodies politic.
Purposes and powers.	
Real estate.	SECTION 2. That the said company shall have the right to hold, either by purchase or lease, not exceeding fifty acres of land at any one time, the whole to be within the county of Bradford, in the commonwealth of Pennsylvania, and the same or any part thereof to sell, lease or otherwise dispose of, as the interests of the company may require.
Capital stock.	SECTION 3. That the capital stock of the said company shall be fifty thousand dollars, and be divided into one thousand shares of fifty dollars each, with the right to increase the capital from time to time, to one hundred thousand dollars.
Directors.	SECTION 4. That the officers of said company shall be managed by five directors, to be chosen annually by the stockholders of said company, the first election for which shall be held at Towanda, at such time as the said Gordon F. Mason, John Laporte, J. D. Montayne, Charles Wells and Jesse Spaulding, or a majority of them, shall appoint, giving at least ten days' notice in a newspaper at Towanda, and the subsequent elections shall be held annually, as the by-laws shall direct, and at all elections each share of stock shall be entitled to one vote:
Election.	<i>Provided</i> , That in a failure to hold an election, the former directors may continue in office until new ones are elected.
Proviso.	SECTION 5. That the directors shall, as soon as convenient after their election, choose one of their members to act as president, to serve one year or until another is elected; they shall also have power to appoint, as may require, all other officers and agents of the company, and to supply vacancies in the board, arising from death, resignation or otherwise; at all meetings of the board, a majority of the directors shall constitute a quorum for the transaction of business.
Officers, agents, &c.	SECTION 6. That the said Towanda water company shall have authority to borrow any sum or sums of money, not exceeding thirty thousand dollars, in bonds secured by the mortgage of the whole, or any part of the property belonging to the company, and the corporate privileges thereto belonging, upon such interest as shall be agreed upon; and the said company are authorized to sell and dispose of the said bonds at such rates, above or below par, as may be agreed upon between the parties, and such sale shall be as valid as if sold at par: <i>Provided</i> , That no bond shall be issued by said company for a less sum than one hundred dollars.
Quorum.	
May borrow money.	SECTION 7. That it shall and may be lawful for said Towanda water company, by its officers or agents, to contract and
Proviso.	
Contracts with owners of land, relative to.	

agree with the owner or owners of any lands or tenements, for the purchase of so much thereof as shall be necessary for the purpose of making, digging and perfecting the said canal and water power, and erecting and establishing all necessary locks, works, buildings and devices to such canal and water power.

SECTION 8. That the said Towanda water company shall have power to purchase from the North Branch canal company, or their assigns, all the surplus water at the Towanda dam not used for their canal: *Provided*, That it be so used that it shall not at any time impede or interrupt the navigation of the North Branch canal, and the same or any part thereof to use, sell, lease or otherwise dispose of, as the interest of the company may require.

May purchase  
water of North  
Branch canal  
company.  
*Provido.*

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

JNO. CRESSWELL, JR.,  
*Speaker of the Senate.*

APPROVED—The thirty-first day of March, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

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No. 679.

## AN ACT

Supplementary to the several acts heretofore passed, relative to the Dauphin and Susquehanna Coal Company.

WHEREAS, By virtue of proceedings under a certain mortgage, given by the Dauphin and Susquehanna coal company, the railroad of the said Dauphin and Susquehanna coal company, from its terminus at Rockville, to its intersection with the Reading railroad at Auburn, together with its appurtenances, and all the mines, tracts of land, and other property of the said company, have been or may be sold at public sale under the said proceedings; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the person or persons for and on whose account the railroad, mines, tracts of land and property of the Dauphin and Susquehanna coal company, have been or may be purchased, be and they are hereby constituted a body politic and corporate, in deed and in law, under the name and style of the Schuylkill and Susquehanna railroad company, with the rights, powers, privileges, immunities, franchises and appurtenances heretofore granted to or conferred upon the said Dauphin and Susquehanna coal company, by any act or acts of assembly whatsoever, and

*Preamble.*

*Corporators.*

*Style.*

*Powers.*

subject to all the restrictions now imposed on said company by virtue of any such act or acts, except so far as such rights, powers, franchises or restrictions are increased or modified hereby; the capital of the said company to be one million five hundred thousand dollars, to be divided into shares of fifty dollars each; with full power and authority, on the part of said company, to borrow such sums of money; not exceeding one million of dollars, at such rates of interest, not exceeding ten per centum per annum, and issue the bonds of the company in sums of not less than one hundred dollars each, and mortgage the corporate franchises and estate, real or personal, or any part thereof of said company, to secure the same.

**Capital.**

**May borrow money and issue bonds.**

**When and where purchasers to meet.**

**Election of president and managers.**

**Proviso.**

SECTION 2. That the persons who are or may become purchasers and owners of said road, estate and property, sold or to be sold under the said proceedings, shall meet in the city of Philadelphia, within fifteen days after they shall have received the conveyance for the said property and premises, due notice thereof having been given five days previously, in two daily papers published in the city of Philadelphia, and elect a president and six managers, who shall continue in office until the first Monday in May, Anno Domini one thousand eight hundred and sixty, when, and annually thereafter, on the same day, an election of president and six managers, to serve for one year, shall be held as prescribed in the several acts relating to the said Dauphin and Susquehanna coal company, which were in force at the time of the said sale: *Provided*, That the purchasers of said railroad and property of the Dauphin and Susquehanna coal company hereby incorporated, shall be liable to pay all debts contracted by the said the Dauphin and Susquehanna coal company, for materials furnished, and all claims of workmen for work and labor done in the construction and repair of said railroad.

W. C. A. LAWRENCE,

*Speaker of the House of Representatives.*

JNO. CRESSWELL, JR.,

*Speaker of the Senate.*

APPROVED—The first day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

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No. 680.

## AN ACT

To incorporate the Eastern Iron Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

David Thomas, Melchoir H. Horn, junior, Jesse M. Line, Peter Weikel, James Kline, Reuben Leh and Samuel Lewis, and such other persons as shall be associated with them, and their successors, be and the same are hereby erected into a body corporate and politic, for the purpose of manufacturing iron from the crude state into any shape, in the county of Lehigh or Northampton, under the name and style of the Eastern iron company, with a capital stock of five hundred thousand dollars, with power to increase the same to ten hundred thousand dollars, to be divided into shares of fifty dollars each.

Corporators.  
Purposes.  
Style.  
Capital stock.

SECTION 2. That the affairs of said company shall be managed by a board of seven directors, one of whom shall be the president, who shall be chosen by the stockholders; the first election shall be held within sixty days after this act shall take effect, of which election public notice shall be given at least two weeks, in one newspaper published in the county of Lehigh; and subsequent elections shall be held at such time and place, annually, as the directors shall determine, of which the same notice shall be given; all elections shall be by ballot, and every share of stock subscribed, and the required instalments paid in, shall entitle the holder to one vote, in person or by proxy: *Provided*, That in case of failure to hold an election under this act, the former directors shall continue in office until their successors be duly elected; and in case of resignation or death of any director, the remaining directors shall elect a person to serve until the next annual election.

Officers and election of.  
Votes.  
Proviso.

SECTION 3. That this corporation shall have authority to hold and use a common seal, and the same to change, alter and amend at pleasure; and by the style and title aforesaid shall be capable in law to sue and be sued before any court in this commonwealth, and may do and make all needful rules, regulations and by-laws for the well ordering of the business affairs of the corporation, so that the same in no wise conflict with, or be contrary to, the laws and constitution of the commonwealth or of the United States.

Powers.

SECTION 4. That the said corporation, by the name aforesaid, may hold, in Lehigh and adjoining counties, lands not exceeding five thousand acres at one time, with power to mortgage, sell, lease or otherwise dispose of the same, or any part thereof; and the capital of the company may be employed in mining ore, making and manufacturing iron from the crude state into any shape or form, mining coal and limestone, and transporting and vending the same, and for such other objects as may be necessary and beneficial in the prosecution of said business: *Provided*, That the said company shall not engage in the business of banking.

May hold lands, &c.  
Proviso.

SECTION 5. That the stock may be transferred agreeably to the by-laws which may be adopted by the corporation.

Transfer of stock.

SECTION 6. That dividends may be declared and paid whenever the directors deem it advisable, but said dividends shall in no case exceed the amount of actual profits acquired by the corporation; and if the directors shall make a dividend of more than the actual net profits, the directors consenting thereto shall severally be liable to the corporation, in their individual capacity, for the excess so divided and paid; and the said company

Dividends.

shall pay into the treasury of the state a bonus of one-half of one per centum upon the amount of the capital stock and any increase of the same, payable in four annual instalments, the first whereof shall be paid within one year from the date hereof.

Individual liability.

SECTION 7. That the stockholders of said company shall be jointly and severally liable, in their individual capacities, for debts due mechanics, workmen and laborers employed by said company, and for country provisions furnished for said company, to be sued for and collected as is provided in the twelfth, thirteenth and fourteenth sections of the act incorporating the Lackawanna coal and iron company, approved the fifth day of April, Anno Domini one thousand eight hundred and fifty-three.

Subject to.

When this act to take effect.

SECTION 8. That this act shall not take effect until five hundred shares shall be subscribed, and at least one-half of that amount be paid in, of which a statement, containing the names of the subscribers and the amount subscribed by each, shall be given to the governor, to be filed in the office of the secretary of the commonwealth; whereupon the governor shall issue letters patent to the corporators.

Payment of subscriptions.

SECTION 9. That subscriptions of stock may be paid in real and personal estate, appropriated to the business contemplated by this act, at a *bona fide* cash valuation to be agreed upon by a majority in interest of the subscribers and stockholders; and the said corporation may issue bonds, and sell the same at their market value, notwithstanding it may be less than par; but no bond shall be issued for a less sum than one hundred dollars.

Reservation.

SECTION 10. That the legislature hereby reserves the right to amend, alter or repeal this charter at any time; in such manner, however, as shall not do injustice to the corporators; and this charter shall extend for a period of twenty years, and no longer.

Limitation.

W. C. A. LAWRENCE,

*Speaker of the House of Representatives.*

JNO. CRESSWELL, JR.,

*Speaker of the Senate.*

I do certify that the bill, entitled "An Act to incorporate the Eastern iron company," passed in the Senate on the tenth day of March, Anno Domini one thousand eight hundred and fifty-nine, which has been disapproved by the governor, and returned, with his objections, to the Senate, in which it originated, was agreed to by two-thirds of the Senate, agreeably to the constitution, on the eighth day of April, Anno Domini one thousand eight hundred and fifty-nine, and that the foregoing is the act so agreed to by the Senate.

JNO. CRESSWELL, JR.,

*Speaker of the Senate.*

Attest: WM. H. MILLER,

*Clerk of the Senate.*

I do certify that the bill, entitled "An Act to incorporate the Eastern iron company," passed the House of Representatives on the twenty-second day of March, Anno Domini one thousand eight hundred and fifty-nine, which has been disapproved by the governor, and returned, with his objections, to the Senate,



in which it originated, was agreed to by two-thirds of the House of Representatives, on the ninth of April, Anno Domini one thousand eight hundred and fifty-nine, and that the foregoing is the act so agreed to by said House.

SIMEON B. CHASE,

*Speaker of the House of Representatives pro tem*

Attest: S. J. REA,

*Clerk of the House of Representatives.*

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No. 681.

## A N A C T

To incorporate the Mont Alto Iron Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Holker Hughes, John Savage, W. F. Washington and John C. Dorsey, and their associates and successors, are hereby created a body politic and corporate, under the name and style of the Mont Alto iron company, with power to sue and be sued, plead and be impleaded, in all respects as if the said parties had associated themselves under the general mining law of the commonwealth of Pennsylvania. Corporators.

SECTION 2. That the said company, hereby incorporated, shall have a right to hold by purchase, lease or otherwise, in the counties of Franklin and Adams, in this commonwealth, any quantity of timber, mineral and farming lands that may be necessary to carry on the business of said company, and the same, or any part thereof, to sell, lease or convey, or be used by cutting and charring the wood, for the purpose of manufacturing iron, with a capital stock not exceeding five hundred thousand dollars, divided into five thousand shares of one hundred dollars each, of which the lands and mines of the said Holker Hughes shall constitute a part, at such price as may be agreed on between him, the said Holker Hughes, of the one part, and John Savage, W. F. Washington and John C. Dorsey, and those who may associate with them and constitute the aforesaid corporation, by subscription for stock, payable in money, on the other part; which capital stock shall only be employed in the holding and purchasing of lands, and in constructing such other improvements, buildings and machinery as may be necessary for the manufacture of iron in its various branches, and in the payment of such salaries, wages and other expenditures as shall be requisite for the purposes of the company aforesaid; and said stock shall be considered as personal property, and assignable and May hold lands in certain counties.

Capital stock.

Subscriptions to stock.

- transferable according to such rules and by-laws as the board of directors shall establish, and the subscription to the capital stock of said company shall be made at such places and in such manner as shall be designated by the said Hughes, Savage, Washington and Dorsey: *Provided*, That the said company shall pay to the state treasurer, for the use of the commonwealth, a tax of one-half of one per centum on the capital stock thereof, in five equal annual instalments, commencing within three years after the passage of this act.
- Proviso.**
- Objects.** SECTION 3. That the said company shall have a right to drive tunnels, sink shafts, erect all necessary buildings and machinery for mining iron ore, and for the manufacture of iron, and making such necessary road or roads as may be required to transport coal and ore to the furnace, forges and rolling mill; subject, however, to all the restrictions of the general road laws of this commonwealth.
- Officers.** SECTION 4. That the officers of said company shall consist of a president, secretary and treasurer, with a board of directors, consisting of five stockholders, including the president, who shall be a director and be elected by the board, which shall also have power to appoint the secretary and treasurer; the company shall have power to make and use a common seal for the authentication of its acts; and the charter incorporating it shall continue in force for twenty years, unless sooner dissolved by the stockholders.
- Seal.**
- First election of officers.** SECTION 5. That the first election of officers shall take place on the second Monday of May next, and on the same day annually thereafter; but a failure to elect on that day shall not work a forfeiture of the charter, nor prevent any number of the stockholders, holding not less than five hundred shares of stock, to convene a meeting and elect officers to hold their places until the period of the next annual election, by giving three weeks' notice thereof, in one paper published in the county where the lands of the company lie.
- Location of office.** SECTION 6. That the company may locate their office at Mont Alto, in Franklin county, or elsewhere, in Pennsylvania, and shall be liable to be sued by leaving a copy of any process at the office on their property: *Provided*, That this last mentioned clause shall not prevent the service of process upon the said company in the manner usual in the case of other incorporated companies.
- Proviso.**
- Instalments, payment of, &c.** SECTION 7. That the directors may, from time to time, call in such instalments on the stock subscribed, not exceeding twenty per centum, on giving thirty days' notice in two papers of Franklin county; and if the stock be subscribed in any of the Eastern states, then the same notice in one daily paper in the capital of such state; and if any subscriber shall fail to pay the same within thirty days of the time designated, the directors may declare the subscription forfeited to the use of the company; that the said Mont Alto iron company shall have authority to borrow any sum or sums of money, not exceeding two hundred thousand dollars, on bonds secured by mortgage of the whole or any part of the property, upon such interest as may be agreed upon; and the said company are authorized to sell or dispose of said bonds at such rates, above or below par, as may be agreed

upon between the parties ; that no bond shall be issued by said company for less than one hundred dollars.

SECTION 8. That the stockholders of the said company shall be jointly and severally liable, in their individual capacities, for all debts and contracts made by said company, to the amount remaining unpaid on each share of stock held by them, respectively, and jointly and severally liable in their individual capacities for all debts due mechanics, workmen and laborers employed by and for materials furnished to said company, to be sued for and collected as provided by the twelfth, thirteenth and fourteenth sections of an act incorporating the Lackawanna iron and coal company, approved April fifth, one thousand eight hundred and fifty-three. Individual liability.

SECTION 9. That in the election of officers, every stockholder shall be entitled to one vote for each share of stock that he or she may hold in said company ; that in giving said vote they may vote by proxy or in person. Votes.

SIMEON B. CHASE,  
*Speaker of the House of Representatives pro tem.*

JNO. CRESSWELL, JR.,  
*Speaker of the Senate.*

I do certify that the bill, entitled "An Act to incorporate the Mont Alto iron company," passed in the Senate on the fourth day of March, Anno Domini one thousand eight hundred and fifty-nine, which has been disapproved by the governor, and returned, with his objections, to the Senate, in which it originated, was agreed to by two-thirds of the Senate, agreeably to the constitution, on the eighth day of April, Anno Domini one thousand eight hundred and fifty-nine, and that the foregoing is the act so agreed to by the Senate.

JNO. CRESSWELL, JR.,  
*Speaker of the Senate.*

Attest: WM. H. MILLER,  
*Clerk of the Senate.*

I do certify that the bill, entitled "An Act to incorporate the Mont Alto iron company," passed the House of Representatives on the eighteenth day of March, Anno Domini one thousand eight hundred and fifty-nine, which has been disapproved by the governor, and returned, with his objections, to the Senate, in which it originated, was agreed to by two-thirds of the House of Representatives on the ninth day of April, Anno Domini one thousand eight hundred and fifty-nine, and that the foregoing is the act so agreed to by said House.

SIMEON B. CHASE,  
*Speaker of the House of Representatives pro tem.*

Attest: S. J. REA,  
*Clerk of the House of Representatives.*

No. 682.

## A FURTHER SUPPLEMENT

To the act incorporating the Navigation Railroad Company, approved April twentieth, Anno Domini one thousand eight hundred and fifty-four.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the time now allowed for the commencement of the construction of the Navigation railroad, be and is hereby extended for a further period of five years.

Time for completion extended.

Additional incorporators.

**SECTION 2.** That A. A. Yarrington, E. J. Kerlin and J. D. Focht be and they are hereby made additional incorporators; and it may be lawful for the incorporators, or any five of them, to meet for the purpose of organizing said Navigation railroad company, within six months from and after the passage of this act, of which meeting the passage of this act shall be deemed due and sufficient notice.

Election of officers.

**SECTION 3.** That whenever five per centum of the capital of the said Navigation railroad company shall have been subscribed, and ten per centum of the amount so subscribed be paid in cash or its equivalent, then the stockholders may proceed to elect such officers as is provided in the act to which this is a supplement.

Repeal.

**SECTION 4.** That all acts and parts of acts relative to said Navigation railroad company, inconsistent with this act, be and the same are hereby repealed; that it shall and may be lawful for the said Navigation railroad company to connect their said railroad, at either or both ends, with any railroad now constructed or hereafter to be constructed; and any railroad company with whose railroad the said Navigation railroad may be so connected, is hereby authorized and empowered to subscribe to the capital stock and bonds of the said Navigation railroad company.

May connect with other railroads.

Enrolment tax, relative to payment of.

**SECTION 5.** That on the payment of the enrolment tax on the act, entitled "A further supplement of the act incorporating the Navigation railroad company, approved April twentieth, one thousand eight hundred and fifty-four," which said act was approved the eighteenth day of April, one thousand eight hundred and fifty-seven, said act shall be as good and valid as though the enrolment tax had been paid as required by law.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

JNO. CRESSWELL, JR.,  
*Speaker of the Senate.*

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 683.

## A N A C T

To incorporate the Huntington Valley Mutual Fire Insurance Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Andrus Fellows, James Buckalew, Gilbert M<sup>W</sup>Waine, John Commissioners. Koons, D. L. Chapin, Freas Brown, Daniel Bulkely, Silas Dodson, William B. Koons, A. N. Harvey, Jacob Good, Jesse Harrison, James Tubles and S. H. Dodson are hereby appointed commissioners, who, or a majority of whom, are authorized and empowered, from and after the passage of this act, to establish an insurance company, to be called and known by the name and title of the Huntington Valley mutual fire insurance company, Name. to be located in the village of New Columbus, Huntington town- Location. ship, Luzerne county; which said company shall be organized and managed according to, and subject to all the provisions of, Subject to. an act to provide for the incorporation of insurance companies, approved the second day of April, Anno Domini one thousand eight hundred and fifty-six, and be limited to risks designated in the first class, in the seventh section of said act, with the right to transact its business upon the mutual principle.

SECTION 2. That said company shall have power to make such By-laws. by-laws, rules and regulations for its better government, not inconsistent with the act of the second of April, one thousand eight hundred and fifty-six, above mentioned, and not contrary to the constitution of the United States or the state of Pennsylvania, as they may think proper.

SECTION 3. That this company shall not have full force and effect until their applications for insurance shall amount to forty When to take effect. thousand dollars.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

JNO. CRESSWELL, JR.,  
*Speaker of the Senate.*

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 684.

## AN ACT

To incorporate the Indiana County Mutual Fire Insurance Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* James Sutton, Thomas White, William M. Stewart, Isaac M. Watt, Joseph Thompson, Thomas St. Clair, A. W. Taylor, Moses T. Work, Titian J. Coffey, John G. Coleman, John H. Lichtberger, Alexander Elliott, John Graff, William Maher, Jacob J. Anthony, Robert H. Armstrong, William Sandles, Jacob Weamer, Cornelius Lowe, Daniel Stanard and William Evans, and such other persons as are or may be associated with them under the authority of this act, their successors or assigns, are hereby made a corporation, by the name of the Indiana County Mutual fire insurance company; and they and their successors are hereby made a body politic and corporate in law, with all the legal incidents of a corporation aggregate, to have and enjoy all the rights, powers and privileges, and be subject to all the limitations and restrictions provided and enacted by an act of assembly, passed the second day of April, one thousand eight hundred and fifty-six, entitled "An Act to provide for the incorporation of insurance companies," and shall be limited to the risks designated in the first class, in the seventh section of said act, and shall transact its business on the mutual principle.

W. C. A. LAWRENCE,

*Speaker of the House of Representatives.*

JNO. CRESSWELL, JR.,

*Speaker of the Senate.*

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 685.

## AN ACT

To incorporate the borough of New Columbus, in the county of Luzerne.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*



the town of New Columbus, in the county of Luzerne, and territory adjacent thereto, comprised within the following boundaries, to wit: Beginning on the county line between Columbia and Luzerne counties, at a corner dividing lot number one on the south from lot number nineteen on the north; thence along said division line to the corner of lot number nine; thence along the western boundary of lot number nine and lot number eight, to the south-west corner of lot number seven; thence along the southern boundary of lot number seven to a corner on the western boundary line of lot number fifty-two; thence by lots numbers fifty-two, six and fourteen, to the south-east corner of lot number thirteen; thence along the southern boundary of said lot to a public road; thence along said road to the southern boundary line of lot number forty-nine; thence south sixty-eight and a half degrees west one hundred and seventy-five perches to a corner; thence by lots twenty-nine, thirty-one and thirty-two to a corner; thence along the southern boundary of lot number thirty-three to a corner on the county line dividing Luzerne county from Columbia county; thence along the said county line to the place of beginning, be and the same is hereby erected into a borough, to be called the borough of New Columbus, and shall enjoy the privileges, and shall be subject to the limitations and restrictions, not herein otherwise provided for, of the general laws of this commonwealth relating to boroughs.

Boundaries.

SECTION 2. That the said borough shall form a separate election and school district.

School and election district.

SECTION 3. That the qualified electors shall, on the third Friday of March next, and at the same time every year thereafter, meet at the school house in said borough, and then and there, between the hours of one and six o'clock in the afternoon, elect by ballot one reputable person, to be styled burgess of the said borough, and five other persons to be members of the town council, one assessor and two assistant assessors, and when required by the laws of this commonwealth, one justice of the peace, one person for constable, who shall also act as high constable, one judge and two inspectors of elections, and at the first election, six school directors, two of whom to serve one year, two for two years, and two for three years, all of which said officers must be citizens of said borough, and have resided therein at least six months next preceding such election; the said election shall be conducted in the same manner as is provided for township officers of this commonwealth, except the certificates of the election of burgess, councilmen and school directors, shall be filed among the records of the corporation.

Annual election, when and where held.

SECTION 4. The first election under this act shall be held by a judge and two inspectors, to be chosen by the qualified electors of said borough, who may be present at the opening of said election; and the inspectors, so chosen, shall appoint each a clerk; and the constable of Huntington township is by himself, or by a deputy, required to attend at the school house of said borough, on the day of the first election, at one o'clock in the afternoon, to open said election; he is also required to give five days' previous notice of said election: *Provided*, That if said

First election.

Proviso.

constable shall fail to be present at the time aforesaid, the said election may be opened by any qualified elector of said borough.

School directors,  
duties of.

SECTION 5. That the school directors elected under this act shall perform the same duties and possess the like powers, in all respects, as school directors elected agreeably to the general laws of this commonwealth; and those first elected shall immediately after their election, cause to be made an enumeration of the taxable inhabitants of said borough, and the president of the board of directors shall certify the same to the superintendent of common schools, who is hereby directed to adopt the number of taxables, so certified, as a basis of distribution to said borough of its share of the state appropriation; and the said borough shall be entitled to its share of proprietor school fund in the township of Huntington.

Real and per-  
sonal estate.

SECTION 6. That the corporation aforesaid shall have power to purchase and hold such real or personal estate as the purposes of the borough shall require, not exceeding the yearly value of one thousand dollars, and convey the same when the interest of the borough will be promoted by it.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

JNO. CRESSWELL, JR.,  
*Speaker of the Senate.*

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

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No. 686.

## AN ACT

To incorporate the Williamsport Library Association.

Corporators.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That James Armstrong, O. Watson, A. B. Cummings, J. W. Maynard, Lewis Jamison, E. B. England, Peter Herdic, Daniel Bower, Clinton Lloyd, S. Jones, W. H. Armstrong, T. Coryell, R. P. Allen, Henry C. Parsons, E. C. Johnson, Samuel Pollock, and their successors, are hereby erected into a body politic and corporate, in deed and in law, by the name and style of the Williamsport library association.

Style.

SECTION 2. That the said corporation, by the same name and style, shall have perpetual succession, and shall have full power and authority to make, have and use a common seal, with such device and inscription as they shall deem proper, and the same to alter and renew at their pleasure; and by the name and style aforesaid shall be able to sue and be sued, plead and be impleaded, in all courts of law and elsewhere; and shall be able and capable, in law and equity, to take, hold, purchase and receive, all and all manner of lands, tenements, rents, annuities, franchises and hereditaments, and any sum or sums of money, and any goods and chattels given or bequeathed to them, to be employed and disposed of according to the objects, articles and conditions hereof, or according to the articles and by-laws of this corporation, or according to the will and intention of the donors: *Provided always*, That the clear yearly income of the real and personal estate held by this corporation shall not, at any time, exceed the sum of five thousand dollars. Powers. Proviso.

SECTION 3. That the objects of this association shall be to encourage and foster, among the population of the borough of Williamsport and the county of Lycoming, the spirit of self-improvement, by the establishment of a library, reading room, cabinet of minerals, and such other things as may be considered necessary or expedient for the promotion of literature, science and mechanics; and it shall have power to purchase land, erect or build or rent buildings, and perform such other acts as may be necessary for the promotion of these objects. Objects. \*

SECTION 4. That the capital stock of said corporation shall be five thousand dollars, to be divided into shares of five dollars each, and may be increased, from time to time, not to exceed fifty thousand dollars, as the managers thereof shall deem necessary; for all which stock certificates shall be issued, signed by the president, countersigned by the secretary, and sealed with the common seal of said corporation; which certificates shall be transferable at pleasure by the owner thereof, or by a duly authorized attorney, in the presence of the president or secretary, in a book to be kept for that purpose by said corporation; but no stockholder indebted to said association for annual dues or otherwise, such debt being actually due and unpaid, shall be authorized to make a transfer until such debt is discharged. Capital stock.

SECTION 5. That the corporators herein named, or any five of them, shall meet on the second day of May, one thousand eight hundred and fifty-nine, in the borough of Williamsport, and organize their association, under this act of incorporation; and this corporation shall have full power to enact and enforce such by-laws and ordinances as they shall think proper for their government, and for the regulation and transaction of the business of said association, and shall have power to elect a president, six managers, and such other officers, and at such times as they may deem proper: *Provided*, That the by-laws and ordinances, and all the acts of said association, shall not be contrary to this charter, nor to the constitution and laws of the United States or of this commonwealth. Meeting of corporators. By-laws. Proviso.

SECTION 6. That no enumeration of powers, privileges and duties herein contained, shall be so construed as to exclude others not enumerated, which are necessary for the proper fulfilment Construction of powers, &c

of the design and purposes of this act, and not inconsistent with its express provisions and limitations.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

JNO. CRESSWELL, JR.,  
*Speaker of the Senate.*

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

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No. 687.

## AN ACT

To incorporate the Sewickley Cemetery of Allegheny county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* G. E. Warner, Doctor John Dickson, D. N. White, John Fleming, J. W. F. White, J. P. Kramer, John Way, J. B. S. Ward, Doctor William Woods, William Harbaugh, David Anderson, T. H. Nevin, George F. Rudisill, John Way, junior, John Irwin, D. R. Miller, Robert Nevin, Bruce Tracy, John Thompson, Hugh Linn, Jacob Guy, George H. Starr, Joseph S. Travelli, Thomas L. Shields, S. D. Miller, William Grimes, Alexander M'Donald, Doctor Robert M'Cready, Robert H. Davis and William Miller, be and they and their successors are hereby created a body politic and corporate in law, under the name and title of the Sewickley cemetery, and by that name shall have perpetual succession, and be able and capable in law to have and use a common seal, to sue and be sued, implead and be impleaded in all courts of law and equity, and to do all such other things as are incident to a corporation.

SECTION 2. That the said corporation shall, at least once in every year hereafter, fill, by election, by ballot, all vacancies which may occur, and may at the same time, or other times, increase and add to their number from those who may be lot-holders in the cemetery, so that the said company shall never be reduced to less than ten, nor exceed thirty members; and they shall have full power to ordain, establish and put in execution, all such by-laws, rules and regulations, not contrary to the constitution and the laws of the United States or of this state, which may be necessary for the proper government of this corporation, its officers and affairs, and until the election of managers shall exercise all the powers thereof.

Corporators.

Name.

Seal.

Vacancies how filled.

By-laws

SECTION 3. That the said corporators shall, at least once in every year, elect, from their number, seven managers, one of whom shall be designated as president, one as secretary and one as treasurer, who shall make a report of their proceedings and statement of the finances at the annual meetings of the corporators, and as much oftener as may be required by a majority of the said corporators. Election of managers.

SECTION 4. That the said corporators, or managers, shall have power to receive all and singular such gifts, bequests and donations of property as may be made, and to use the same for the benefit of the corporation, to contract for and purchase from the owner or owners thereof, a tract of land in Allegheny county, not exceeding in the whole fifty acres, and the same to lay out and ornament, and to divide and arrange it into suitable plots and burial lots, remove and alter old, and erect new buildings, and to do all other things proper or necessary to be done, to adapt the said ground for the purpose of a cemetery, and to sell and dispose of said plots and burial lots, in fee simple or otherwise, for the purposes of sepulture, to individuals, societies or congregations, without distinction or regard to sect, under such conditions, rules and regulations, as the said corporators or managers may establish for the government of lot-holders, visitors to the cemetery and burial of the dead: *Provided*, That the lots granted by the said association, for burial lots, shall not be used for any other purpose, and they shall be free from seizure, levy or sale under or by virtue of any execution against any grantee or grantees of said association for such purpose. Powers and privileges. Proviso.

SECTION 5. That the said corporators or the said managers, after their election, shall have the power to appoint all officers, agents and workmen which may be needful, and fix their compensation or wages, and the same to discharge at pleasure, to take from the treasurer security for the faithful performance of his trust, and to discharge him from his office upon occasion therefor, and that the said managers shall keep fair minutes of all their acts and doings. Farther powers.

SECTION 6. That the said corporation shall be capable of holding so much personal property as may be necessary for the purpose of this incorporation, and it shall be the duty of the managers to devote all the income, of whatsoever kind, to the purposes of the corporation, and after a sufficient sum shall have been received from the sale of lots, and expended in the payment for the cemetery grounds and improvement thereof, to set aside at least twenty per centum, and more, if it can be spared, out of the proceeds of all subsequent sales of lots, to be invested in ground rents, mortgages or stocks of the commonwealth of Pennsylvania, for the creation of a fund, the income of which shall be applied, as may be necessary, for the perpetual maintenance of the cemetery in proper order and security; and any failure in the duties aforesaid, shall subject said managers or corporators to the control of the competent judicial authority for correction. Personal property. Income of incorporation, how invested.

SECTION 7. That the original conveyance of lots from the corporation to individuals, may be evidenced either by deed or by a certificate signed by the president and countersigned by the secretary or treasurer, as by the rules and regulations or by- Conveyance of lots, relative to.



laws shall be required, and such deed or certificate, specifying that such a person is the owner of such a lot or lots, shall vest in the proprietor, his heirs and assigns, a right, in fee simple, to such lot or lots; and said certificates shall have the same force and effect as deeds duly executed in other cases, and may be recorded, and certified copies thereof shall be evidence as in other cases.

Injury to property, penalty for.

SECTION 8. That any person who shall wilfully destroy, mutilate, deface, injure or remove any tomb, monument or gravestone, or other structure, placed in the cemetery aforesaid, or any fence, railing or other work for the protection or ornament of the said cemetery, or shall wilfully destroy, cut, break or injure any tree, shrub or plant, within the limits of said cemetery, shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof, before any court of competent jurisdiction, be punished by a fine of not less than five dollars, or more than one hundred dollars, and by imprisonment in the county jail, for a term of not less than one, nor more than thirty days, according to the nature and aggravation of the offence; and such offender shall also be liable in an action of trespass, in the name of the said corporation, to pay all such damages as have been occasioned by his unlawful act or acts; which money, when recovered, shall be applied by the said corporation, under the direction of the managers, to the reparation and restoration of the property destroyed or injured as above, and members of said corporation, or the lot owners, shall not thereby be prevented from testifying in any case at law, to which said corporation shall be a party.

Streets, lanes or roads, relative to

SECTION 9. That no street, lane or road shall ever be laid out through the lands so occupied as a cemetery, except under the authority of the corporation.

W. C. A. LAWRENCE,

*Speaker of the House of Representatives.*

JNO. CRESSWELL, JR.,

*Speaker of the Senate.*

APPROVED—The eleventh day of April; Anno Domini one thousand eight hundred and fifty-nine:

WM. F. PACKER.

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No. 688.

## AN ACT

To incorporate the Ministers and Elders constituting the First United Presbyterian Synod of the West.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*



John T. Pressly, James Rodgers, David R. Kerr, William M. M'Elwee, John S. Easton, John T. Brownlee and Robert Gracey, and their successors, duly elected and appointed in manner as is hereinafter directed, be and they are hereby made, declared and constituted a corporation and body politic and corporate, in law and in fact, to have continuance forever, by the name, style and title of "Trustees of the First United Presbyterian synod of the West," in connection with the general assembly of the United Presbyterian church of North America; and by the name, style and title aforesaid shall forever hereafter be persons able and capable in law as well to take, receive and hold all manner of lands, tenements, rents, annuities, franchises and other hereditaments which at any time or times heretofore have been granted, bargained, sold, enfeoffed, released, devised or otherwise conveyed to the ministers and elders constituting the first United Presbyterian synod of the West, or any other person or persons, to their use, or in trust for them; and the same tenements, lands, rents, annuities, liberties, franchises and other hereditaments are hereby vested and established in the said corporation, and their successors, forever, according to the original use and intent for which such devises, gifts and grants were respectively made; and the said corporation, and their successors, are hereby declared to be seized and possessed of such estate and estates therein as in and by the respective grants, bargains, sales, enfeoffments, releases, devises and other conveyances thereof, is or are declared, limited and expressed; also, that the said corporation, and their successors, at all times hereafter, shall be capable and able to purchase, have, receive, take, hold and enjoy, in fee simple, or of lesser estate or estates, any lands, tenements, rents, annuities, franchises and other hereditaments, by the gift, grant, bargain, sale, alienation, enfeoffment, release, confirmation or devise of any person or persons, bodies politic and corporate, capable and able to make the same; and further, that the said ministers and elders, under the corporate name aforesaid, and their successors, may take and receive any sum or sums of money, and any portion of goods and chattels that have been given to said ministers and elders, or that shall hereafter be given, sold, leased or bequeathed to the said corporation, by any person or persons, bodies politic or corporate, that is able or capable to make a gift, sale, bequest or other disposal of the same; such money, goods or chattels to be laid out and disposed of for the use and benefit of the aforesaid corporation, agreeably to the intention of the donors, and according to the objects, articles and conditions of this act.

SECTION 2. That no misnomer of the said corporation, and their successors, shall defeat or annul any gift, grant, devise or bequest to or from the said corporation: *Provided*, The intent of the party or parties shall sufficiently appear upon the face of the gift, will, grant or other writing, whereby any estate or interest was intended to pass to or from the said corporation.

SECTION 3. That the said corporation, and their successors, shall have full power and authority to make, have and use one common seal, with such device and inscription as they shall think fit and proper, and the same to break, alter and renew at their pleasure.

Corporators.

Style.

Real and personal estate, relative to.

Misnomer.

Proviso.

Seal.

- Further powers.** SECTION 4. That the said corporation, and their successors, by the name, style and title aforesaid, shall be able and capable in law to sue and be sued, plead and be impleaded, in any court, or before any judge or justice, in all manner of suits, complaints, pleas, matters and demands, of whatsoever nature, kind or form they may be, and all and every matter and thing to do in as full and effectual a manner as any other person, bodies politic or corporate, within this commonwealth, may or can do.
- By-laws** SECTION 5. That the said corporation, and their successors, shall be and hereby are authorized and empowered to make, ordain and establish by-laws and ordinances, and do everything incident and needful for the support and due government of the said corporation, and managing the funds and revenues thereof:
- Proviso.** *Provided*, The said by-laws be not repugnant to the constitution and laws of the United States, to the constitution and laws of this commonwealth, or to this act.
- Corporation not to consist of more than seven persons.** SECTION 6. That the said corporation shall not, at any time, consist of more than seven persons, whereof the said synod may, at their discretion, at any regular session held under the rules and regulations of said synod, change four-sevenths, in such manner as to the said synod shall seem proper; and the said corporation shall have power and authority to manage and dispose of all moneys, goods, chattels, lands, tenements and hereditaments, and other estates whatsoever, committed to their care and trust by the said synod; but in cases where special instructions for the management and disposal thereof shall be given by the synod, in writing, under the hand of their clerk, it shall be the duty of the said corporation to act according to such instructions:
- Proviso.** *Provided*, The said instructions shall not be repugnant to the constitution and laws of the United States, or to the constitution and laws of this commonwealth, or to the provisions and restrictions in this act contained.
- Number of members necessary to transact business, &c.** SECTION 7. That four members of this corporation shall be a sufficient number to transact the business thereof, and to make by-laws, rules and regulations: *Provided*, That previous to any meeting of the board or corporation for such purposes, not appointed by adjournment, ten days' notice shall be previously given thereof, in at least one of the newspapers printed in the city of Pittsburg; a copy of which notice in said paper, circular, or other printed or written form, shall be sent by mail, or other reliable conveyance, to each member of said corporation, nine days at least previous to said meeting, by the person or persons calling the meeting; and the said corporation shall and may, as often as they shall see proper, and according to the rules by them to be prescribed, choose out of their number a president and vice president, and secretary, and shall have authority to appoint a treasurer, whose duty it shall be, under such obligations as said corporation may direct or require, to take charge of all the property and funds of said corporation, the same to receive, keep, manage and dispose of, according to direction of said corporation, and as often as they direct, to furnish and exhibit detailed and accurate statements of the condition of the same; and said corporation shall appoint such other officers and servants as shall by them, the said corporation, be deemed necessary, to which officers they may assign such a com-
- Notice of meetings, where to be published.**
- Copy of notice to be sent to members.**
- Officers.**

compensation for their services, and such duties to be performed by them, to continue in office for such time, and to be succeeded by others in such way and manner as the said corporation shall direct.

SECTION 8. That all questions before the said corporation shall be decided by a plurality of votes, whereof each member present shall have one vote; and the said corporation shall keep regular and fair entries of their proceedings, and a just account of their receipts and disbursements, in a book or books kept for that purpose; and their treasurer shall exhibit to the First United Presbyterian synod of the West, at each regular meeting of the same, an exact state of the accounts of the corporation.

Compensation of officers, &c.  
All questions to be decided by ballot.  
Votes.  
Minutes of proceedings.

SECTION 9. That the said corporation may take, receive, purchase, possess and enjoy messuages, houses, lands, tenements, rents, annuities and other hereditaments, real and personal estate, of any amount not exceeding twenty thousand dollars yearly value; but the said limitations not to be considered as including the annual or periodical collections and voluntary contributions made in the churches under the care of the said synod, or contributions from any other source, that are not to be funded, but expended in church operations.

Annual income, relative to.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

JNO. CRESSWELL, JR.,  
*Speaker of the Senate.*

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

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No. 689.

## A SUPPLEMENT

To the act to incorporate the Milford and Metamoras Railroad Company, approved the seventh day of April, Anno Domini one thousand eight hundred and forty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the time for the completion of the Milford and Metamoras railroad company, incorporated by an act of assembly, entitled "An Act to incorporate the Milford and Metamoras railroad company," approved the seventh day of April, Anno Domini one thousand eight hundred and forty-nine, be and the same is here-

by extended for the further period of ten years from and after the passage of this act.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

JNO. CRESSWELL, JR.,  
*Speaker of the Senate.*

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

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No. 690.

## AN ACT

To incorporate the Mahoning Railroad Company.

- Commissioners.** SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Jacob L. Hill, W. W. M'Guigan, Benjamin T. Hughes, Henry Weldy, David Hunter, Francis Bright, William Donaldson, Peter Seiberling, Jacob Mantz, or any five of them, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company, by the name, style and title of the Mahoning railroad company, with all the powers, and subject to the provisions and restrictions prescribed by an act, entitled "An Act regulating railroad companies," approved the nineteenth day of February, one thousand eight hundred and forty-nine.
- Title.**
- Powers.**
- Capital stock.** SECTION 2. That the capital stock of the said company shall consist of twenty thousand shares, at fifty dollars each: *Provided,* That said company may, from time to time, by vote of the stockholders, at a meeting called for that purpose, increase their capital stock so much as, in their opinion, may be necessary to complete the said road, and carry out the true intent and meaning of this act.
- Proviso.**
- Route.** SECTION 3. That said company shall have the right to build and construct a railroad beginning at a point within the limits of the borough of Tamaqua, in Schuylkill county, connecting with the railroad at the Little Schuylkill navigation, railroad and coal company; thence by such practicable route through Mahoning valley, to a point on the Lehigh Valley railroad, and connecting therewith above the Lehigh Water Gap.
- Limitation.** SECTION 4. That if the said company shall not proceed to carry on the work of constructing said road, within three years

from the passage of this act, and shall not complete the same within five years thereafter, according to the true intent and meaning of this act, then this charter shall become null and void: *Provided nevertheless*, That if the Lehigh Valley railroad company shall, within twelve months after the passage of this act, commence the construction of a railroad over the same route mentioned in the preceding section, as they are authorized to do by the act of assembly, approved the eighth day of March, one thousand eight hundred and fifty-six, and complete the same within two years thereafter, then and in that case all rights and privileges intended to be conferred by this act on the Mahoning railroad company, shall cease and determine.

Construction of  
by Lehigh Valley  
railroad, relative  
to.

SECTION 5. That if the said Lehigh Valley railroad company shall and do neglect or refuse to commence and complete the construction of a railroad within the time and over the route, with the connections aforesaid, then and thenceforth all rights and privileges intended to be conferred or granted to the said Lehigh Valley railroad company, by any act, part or parts of any acts of assembly heretofore passed, so far as the same relates to the construction of a railroad over the route, and with the termini aforesaid, shall accrue to the aforesaid Mahoning railroad company.

Commencement  
and completion.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

JNO. CRESSWELL, JR.,  
*Speaker of the Senate.*

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

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No. 691.

## A N A C T

To incorporate the Plymouth and Wilkesbarre Railroad and Bridge Company.

[ SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Henderson Gaylord, William C. Reynolds, Samuel Hoyt, Charles Bennett, W. W. Ketcham, L. D. Shoemaker, George P. Steele, Draper Smith, Alexander Gray, John Brown, Charles Dorrance, A. J. Davis and Walter G. Sterling, of Luzerne county; Erskine Hazard, Paul Thurlow, J. Willis Martin, Samuel Jones, M. D.,

Commissioners.



	H. M. Fuller, James Coxe, Richard Richinon, Henry J. Boller, of Philadelphia city, and E. A. Douglass, of Carbon county, or a majority of them, be and they are hereby appointed commissioners to receive subscriptions and organize a company, by
Style.	the name, style and title of the Plymouth and Wilkesbarre railroad and bridge company, with power to construct a railroad
Route.	from the Susquehanna and Lehigh railroad, in Wilkesbarre or Hanover township, in Luzerne county, and connect therewith at or near the crossing of said railroad over the North Branch canal, at South Wilkesbarre, to connect with the Lackawanna and Bloomsburg railroad, at or near the coal breaker of the Boston coal company, in the township of Plymouth, in Luzerne county, and to build and erect a railroad bridge across the Susquehanna river, at or near Richards's island, in said river.
Authorized to erect bridge.	SECTION 2. That the capital stock of said company shall consist of two thousand shares of fifty dollars each; and for the purpose of completing and equipping the said railroad and building the bridge, the said company shall have the power to
Capital stock.	borrow any sum of money, necessary to complete the same, at a rate of interest not exceeding seven per centum per annum, and to secure the payment of the same by the issue of bonds, and by a mortgage of the said railroad and bridge, together with the corporate rights and franchises granted by this act.
May borrow money.	SECTION 3. That the said company be and they are hereby authorized to connect their said railroad with any other railroad now made or hereafter to be made, and to construct lateral branches, not exceeding three miles in length, from either terminus, or from any point on the line of said road; such lateral branches to be subject, however, to all the conditions and restrictions provided by this act for the building and construction of the main road.
May connect with other railroads.	SECTION 4. That the said company shall have all the rights and privileges enjoyed by the Lackawanna and Bloomsburg railroad company, for the obtaining and settling for the right of way over any lands which the said railroad may pass.
Settling for right of way, relative to.	SECTION 5. That this company shall hereby have all the rights and privileges, and be subject to all the restrictions of the act regulating railroad companies, passed the nineteenth day of February, Anno Domini eighteen hundred and forty-nine, except the eighteenth section of said act.
Subject to.	SECTION 6. That upon the completion of said bridge and railroad authorized, as aforesaid, the same shall be esteemed a public highway for the conveyance of passengers and the transportation of freight; subject to such rules and regulations, in relation to the same, and to the size and construction of wheels, cars and carriages, the weight of loads, and all other matters and things connected with the use of said railroad, as the president and directors may prescribe and direct: <i>Provided</i> , That said company shall have the exclusive control of the motive power, and may, from time to time, establish, demand and receive such rates of toll, or other compensation, for the use of such road and of said motive power, and for the conveyance of passengers, the transportation of merchandise and commodities, and the cars and other vehicles containing the same, or otherwise passing
Bridge to be a public highway.	
Subject to.	
Tolls.	



over or on said bridge and railroad, or either, as to the president and directors may seem reasonable.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

JNO. CRESSWELL, JR.,  
*Speaker of the Senate.*

APPROVED—The twelfth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 692.

## A N A C T

To incorporate the Laporte Gas and Water Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Michael Meylert, William A. Mason, Doctor F. Fleschut, Charles C. Finch, William Meylert, B. S. Cheeners, John S. Green, Chapman Baldwin, T. J. Ingham and Doctor Charles H. Dand, or such of them as become stockholders, and their associates, successors and assigns, or persons who shall become stockholders, be and are hereby made and created a body politic and corporate, by the name and style of the Laporte gas and water company; and by the said name they shall and may have perpetual succession, and shall be in law capable of suing and being sued, pleading and being impleaded, in all courts and judicatories whatsoever, and also of contracting and being contracted with relative to the business and objects of the said corporation; and they may have a common seal, and may change and alter the same at pleasure; and they shall have power to purchase and hold, in fee simple, such real estate as may be necessary for carrying on the business of said corporation, and in their corporate name to make and execute their obligations for their liabilities created for the purchase money for the same, and other necessary effects of the said corporation, as they may deem expedient: *Provided, That such liabilities shall be created only for the purpose stated in this act.*

Corporators.

Style.

Powers.

Proviso.

SECTION 2. That the said company shall have power to provide, erect and maintain all works and machinery, or engines, necessary or proper for making, raising and introducing into the borough of Laporte a sufficient supply of gas and pure water; and for that purpose may provide, erect and maintain all proper buildings, cisterns and reservoirs for the reception of gas and water to be introduced; and for this purpose they are authorized and empowered, by themselves, their agents, engineers and

Powers and privileges.

workmen, and with their tools, carts, wagons and horses, to enter upon such lands and enclosures, streets, lanes and alleys, roads, highways and bridges, as may be necessary to occupy or obtain materials for the construction of the said works, and to occupy, ditch and lay pipes through the same, and the same to repair, from time to time; and if any injury be done to private property, the said company shall make compensation therefor in the manner hereafter provided.

Damage or injury to private property, how settled and adjusted.

SECTION 3. That if, in the location of said works, an injury shall be done to private property, and the parties cannot agree upon the amount of compensation to be made to the owner, they may refer the same to men mutually chosen by them, or either party may apply to the court of common pleas of Sullivan county for the appointment of three judicious men to view the premises, and make report to the court, whose award shall be subject to the right of appeal by either party, as in cases under the compulsory arbitration law; and when appealed from, to be tried as if an original action had been brought in said court; and if no appeal be entered within twenty days after the said report shall have been filed, it shall have the effect of a judgment, and be collected in like manner: *Provided*, That the company may file bonds, with security, approved by the court, and proceed with said work the same as if judgment had been obtained and paid.

Proviso.

Capital stock.

SECTION 4. That the capital stock of said company shall be twenty thousand dollars, to be divided into one thousand shares of twenty dollars each.

Annual election for officers.

SECTION 5. That the stockholders shall annually, on the first Monday of June, of each year, elect a president, six managers, secretary and treasurer for said company; and until the first Monday of June, one thousand eight hundred and sixty, such of the corporators above named as become stockholders shall be the managers thereof, and shall choose from their number a president, secretary and treasurer; and in case of failure to elect said officers on the days named, the company shall not for that reason become extinct, but the officers shall hold over until others are elected to supply their places.

By-laws.

Proviso.

SECTION 6. That the said company shall have authority to make and adopt such by-laws, rules and regulations for the government of the same as they may deem proper: *Provided*, That the same do not conflict with the laws of this commonwealth or of the United States.

Certificates of stock and transfer of.

SECTION 7. That the president and managers shall procure certificates of stock, which, signed by the president and treasurer, and sealed with the corporate seal, shall be delivered to each stockholder, and which shall be transferable at his pleasure, in the presence of the president, treasurer or other person appointed by the company for that purpose; subject, however, to all assessments due and to become due thereon; and when such assignment shall have been made, and entered upon the books of the company, the holder shall be a member of said company, and in every election or meeting of the stockholders of the said company, shall be entitled to one vote for each share of stock by him or them held.

SECTION 8. That if any subscriber for stock, or his assignee, shall refuse or neglect to pay any instalment called for by the

said company at the place appointed, and the same shall remain unpaid for thirty days after the time appointed, he shall, in addition to the instalment called in, pay at the rate of five per centum per month for delay; and if the same shall remain unpaid so long as that this penalty shall amount to the sum actually paid by the said stockholders, it shall be in the power of the said company to forfeit the said stock, and the amount paid thereon, to be disposed of by said company as will best promote their objects and interests.

Instalments,  
relative to pay-  
ment of, &c.

SECTION 9. That the said company shall have the right to fix and establish all necessary rules and regulations as to the use of the said gas and water furnished as aforesaid, and to the rates and prices to be paid by the citizens using the same, and to collect the same as debts are now collected by the laws of this commonwealth, and to declare dividends of the net profits of such company at such times as may be prescribed by the by-laws: *Provided*, That such part of said work as may be deemed by said company advisable, shall be done from time to time; and the company shall have as full power over the work completed, as though they had finished the whole work contemplated by this act.

Rules and regu-  
lations.

Proviso.

SECTION 10. That the stockholders of said company shall be liable, in their individual capacities, for all debts due to mechanics, workmen and laborers, and for materials furnished to said company; to be sued for and recovered as provided in the thirteenth, fourteenth and fifteenth sections of an act incorporating the Lackawanna coal and iron company, approved April fifth, one thousand eight hundred and fifty-three; and that the said company shall pay such tax upon dividends as is now or may be required by law.

Individual lia-  
bility.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

JNO. CRESSWELL, JR.,  
*Speaker of the Senate.*

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

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No. 693.

## A N A C T

To incorporate the Western Library Association of the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

**Corporators.** the members of the Western library association, of the city of Philadelphia, and all persons that may hereafter become members thereof, are hereby created a body politic and corporate, in deed and in law, by the name, style and title of the Western library association, of the city of Philadelphia.

**Powers.** SECTION 2. That the said corporation by that name shall have and enjoy perpetual succession, and be able to sue and be sued, plead and be impleaded in all courts of law and elsewhere; and shall be able and capable, in law and equity, to take, purchase, hold and receive, to them and their successors, for the use of said library, lands, tenements, goods, chattels, sum or sums of money, by gift, grant, bargain and sale, will, devise or bequest from any person or persons whatsoever; and the same to grant, bargain, sell, mortgage, improve, or dispose of for the use of the said library, and in general to do all things which may be lawful or necessary for the well being and proper management of the said corporation: *Provided*, That the real estate, of which the said corporation shall at any time be possessed, shall not exceed the clear value of ten thousand dollars yearly.

**Proviso.** **Seal and by-laws** SECTION 3. That the said corporation shall have power to make and use a common and corporate seal, and make such by-laws, rules and regulations as shall be necessary for their government and the promotion of the interest of the said library association: *Provided*, That no by-law, rule or regulation shall be contrary to the constitution of this state or of the United States.

**Proviso.** **Officers.** SECTION 4. That the officers of the corporation shall be such as that body may deem necessary, and they shall be elected at such times and places, and in such ways and manner as the rules and by-laws of the said corporation may direct.

**Election of trustees.** SECTION 5. That the said corporation shall be governed by a board of trustees, consisting of five persons, who shall be annually elected on the first Monday evening in the month of January, in each and every year hereafter, who shall hold their office for one year, or until their successors are duly chosen; and, until an election is held, the following persons shall form the board of trustees, to wit: A. Lowdon Snowden, John W. Tully, John M'Neight, Edw. Leydon, Charles Foreman.

**First trustees.**

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

JNO. CRESSWELL, JR.,  
*Speaker of the Senate.*

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 694.

## A N A C T

To incorporate the Bald Eagle Boom Company, in Clinton county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Simon Scott, John Reed, Job W. Packer and Theodore Wright, Corporators. and their associates and successors, be and are hereby constituted a body politic and corporate, by the name and style of the Bald Eagle boom company, and by that name may sue and be Style. sued, plead and be impleaded, in all the courts of record of Privileges. Clinton county, or elsewhere; have a common seal, to be altered by them at pleasure; make by-laws, not repugnant to the laws of this state or of the United States, for the management of their corporate concerns; and have and enjoy all the rights and powers of a corporation.

SECTION 2. That the said corporation is authorized and em- Powers and au-  
powered to erect and maintain, on the south side of the Bald thority. Eagle creek, between a point opposite the mouth of Fishing creek and the mouth of Marsh creek, such boom or booms, with piers, as may be necessary for the purpose of stopping and securing logs, masts or spars, and other lumber floating upon said creek, and erect such piers, side branches or shore booms, as may be necessary for that purpose: *Provided*, That the said booms shall Proviso. not be so constructed as to prevent the safe passage of rafts, boats, logs, masts, spars or other lumber, and not impede the navigation of said creek or the branches thereof.

SECTION 3. That if any person or persons shall suffer damage Damages, how  
by the exercise of powers herein granted to said corporation, ascertained. and the amount thereof cannot be agreed upon by the parties, nor some suitable person or persons agreed upon to estimate the same, the court of common pleas, having jurisdiction in the county where the boom or booms are situated, shall, upon application of the parties aggrieved, cause said damages to be ascertained by three disinterested freeholders, of the same county, to be appointed by the said court, and who shall make report to the said court on or before the first day of the term next after the award shall have been made, and which, being confirmed by the court, shall have the effect of a judgment from the time of such confirmation: *Provided however*, That if either party be Proviso dissatisfied with the award of said commissioners, and shall, at the time at which the said award is presented for confirmation, apply to said court for a trial by jury in the manner as other like cases are determined, the court shall, by jury, determine the amount of such damages accordingly; and if the verdict shall not be more favorable to the party applying for the jury, than the award given by the commissioners, judgment for costs shall be rendered against the applicants; and if the verdict be more favorable to the party applying for a jury, than was awarded by



the commissioners, the applicants shall receive costs, and execution shall in either case issue upon the judgment; said corporation shall not take any private property until compensation be made or adequate security be given therefor before such property shall be taken.

Damages for injury to works.

SECTION 4. That if any person or persons shall wilfully or maliciously injure or destroy any of such booms or piers, or other works connected therewith, he or they shall pay the amount of damages to the corporation, to be recovered by action of trespass, and further be liable to indictment and presecution, before the court of quarter sessions, for a misdemeanor, and on conviction shall be sentenced to pay a fine, for the use of the county, not exceeding five hundred dollars, and to suffer imprisonment in the county jail not exceeding one year.

Penalty.

Duty of corporation.

SECTION 5. That it shall be the duty of the corporation to raft all lumber in said booms securely and faithfully, with suitable wraps and wedges for rafting, and securing the same below said boom, ten days, if the number of logs, belonging to any one man or company of men, does not exceed one hundred; if the number be over one hundred and does not exceed three hundred, five days; and if the owner, at the expiration of the time aforesaid, has not removed the same, the corporation may remove them to some safe and convenient place, and the owners thereof shall pay such expense as may arise in the removal and securing of the same; and should any person or persons suffer any loss in consequence of the neglect or carelessness of the corporation, then the said corporation shall be accountable for such loss; the owner of the lumber shall drive it as near the main body of logs, or as near the place where they are to be rafted, as may be.

Tolls.

SECTION 6. That said corporation shall have the right to charge and collect toll on boomage upon the lumber thus boomed, rafted and secured, including warps and wedges by which they are rafted, to wit: thirty-seven and one-half cents per thousand feet, board measure, for board-logs, and a reasonable sum for finding warp, rafting and booming all square timber, spars, clap board bolts and other lumber, in proportion to other board-logs; and said tolls shall at all times be subject to the further regulation

Lien upon lumber.

of the legislature; the corporation shall have a lien upon all logs or other lumber, thus boomed, for the payment of all boomage and other expenses, until such times as the same shall be

Proviso.

paid to the corporation: *Provided*, That in any case where spars, square or round timber may have been rafted to run to market, and such raft may have been staved, or broken to pieces in any other way, and said logs should go into said boom by accident, or be taken in by the agents of said corporation, the said company shall deliver the same to the owner, on the production, by him, of reasonable evidence of his right thereto, for which they shall be entitled to twelve and one-half cents for every spar and log of square timber, and six cents for every log of round timber, to be paid by the person claiming the same: *Provided*, That

Proviso.

it shall be lawful for all persons desirous of floating logs below any boom or booms of said company, to give notice, in writing, to said boom company, on or before first March, in each year, to that effect, designating the probable quantity of said logs,



and the marks on same, in which case the said boom company shall pass said logs and lumber through their said boom or booms with the least possible delay and without charge for boomage.

SECTION 7. That if any logs shall be boomed, rafted and secured, as aforesaid, and no person should appear to claim the same and pay the tolls thereon, it shall be lawful for the corporation, after advertising the same sixty days in the towns of Lock Haven and Bellefonte, with the marks thereon, if any there be, to dispose of the same to the best advantage, if no owner appear to claim the same; and the owners, at any time within two years from said sale, shall be entitled to receive the avails thereof, after deducting the tolls, expenses and necessary charges; but if not claimed within said two years, the proceeds shall be vested in the corporation for their own use.

Proceedings in case owners do not appear and claim.

SECTION 8. That for the purposes aforesaid, the said corporation be and are hereby authorized and empowered to purchase, hold and possess any real estate adjacent to said boom or booms, or convenient thereto, with leave to build all such buildings as may be deemed necessary for the convenient management of the affairs of said corporation; and for the same purposes their agent and those in their employ are hereby empowered to use and occupy the lands on the shore of said creek, so far as may be necessary, at the place or places where said booms are erected, and at such other place or places as may be necessary for rafting and securing logs and other lumber, and to pass and re-pass, on foot, to and from said boom or booms over the lands on both sides of said creek, for the purpose of erecting said boom, or making repairs from time to time, and generally for doing all matters and things necessary for the full accomplishment of the object of this corporation; subject, however, to pay such damages as may arise in the prosecution of such objects or purposes, the damages to be ascertained as in the third section of this act.

May hold real estate.

May occupy lands on shores.

SECTION 9. That all logs rafted out of said booms or any of the branches thereof, shall be counted or measured, and their quantity ascertained by some competent person or persons, to be appointed by the court of common pleas of Clinton county, whose duty it shall be to keep an account of all such lumber as may be turned through said boom or booms, agreeably to the fifth and sixth sections of this act.

Lumber to be measured.

SECTION 10. That the legislature hereby reserves the right to alter or repeal this charter at any time; in such a manner, however, that no injustice be done the corporators.

Reservation.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

JNO. CRESSWELL, JR.,  
*Speaker of the Senate.*

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 695.

## A N A C T

To incorporate the Carbondale Gas Company.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

Corporators. William Ball, Jared M. Chittenden, H. S. Pierce, George W. Scranton and John B. Smith, their successors and associates, be

Style. and the same are hereby made and constituted a body politic and corporate, by the name and style of the Carbondale gas company; and by the said name they and their successors shall

Privileges. and may have perpetual succession, and shall be in law capable of suing and being sued, pleading and being impleaded, in all courts and judicatories whatever, and also of contracting and being contracted with relative to the business and objects of said corporation, as hereinafter declared; and they and their successors may have a common seal, and may change and alter the same at pleasure, and shall have power to lease and purchase, in fee simple or otherwise, such real estate as may be necessary for carrying on the business of said corporation, and in their corporate name to borrow money, and to make and execute obligations for the liabilities created in the transaction of said business of the corporation.

**SECTION 2.** That the said corporation shall have exclusive authority to supply with gas light the city of Carbondale and its vicinity, in the county of Luzerne, and such persons, partnerships and corporations residing and being therein as may desire the same, at such price as may be agreed on; and also to make and erect within said city, or adjacent thereto, the necessary buildings, machinery and apparatus for manufacturing and distributing the same, with the right to enter upon any public street, lane, alley or highway, for the purpose of laying down pipes, altering, inspecting and repairing the same, doing as little damage to said streets, lanes, alleys or highways, and impairing the free use thereof as little as possible.

**SECTION 3.** That the capital stock of said corporation shall be fifty thousand dollars, to be divided into shares of twenty-five dollars each, and may be increased, from time to time, not to exceed one hundred thousand dollars, as the managers thereof shall deem necessary; for all of which stock certificates shall be issued, signed by the president and countersigned by the secretary, and sealed with the common seal of said corporation; which certificates shall be transferable only by the owner thereof, or by attorney duly authorized for that purpose, in the presence of the president or secretary, in a book kept for that purpose by said corporation.

**SECTION 4.** That the said named persons, or a majority of them, shall, as soon as one hundred shares of stock are subscribed, give at least two weeks' previous notice, in one newspaper pub-

lished in said city, of the time and place appointed for the subscribers to meet in order to organize the said company; and to choose, by a majority of votes of the said subscribers, by ballot, to be given in person or by proxy, duly authorized, five managers, to serve until their successors shall be duly elected, which shall be annually on the first Monday in March thereafter; and said managers shall have power to select one of their number as president, and also a secretary and treasurer, to serve for the same term; and the manner of conducting said election shall be prescribed in the by-laws of said corporation; and at all elections the stockholders shall be entitled to one vote for each share of stock *bona fide* held by him, her or them, either as trustees, executors or administrators, at the time of holding said election.

Officers.

By-laws.

Votes.

SECTION 5. That the board of managers of this corporation shall have power to make by-laws for their own regulations, not inconsistent with the laws of this commonwealth; and shall keep minutes of their proceedings, which shall at all proper times be open to the inspection of the stockholders, and all such acts and things for the proper regulation and government of the corporation as they may deem necessary; they shall have power to declare dividends of so much of the net profits of the corporation as shall appear to them to be advisable, and at such times as the by-laws may fix, which shall be paid to the stockholders on demand, ten days after the same shall have been declared.

Powers.

Dividends.

SECTION 6. That if any person or persons shall open a communication into the gas pipes of the said company, without authority from the proper officer thereof, or shall let on the gas after it has been stopped by order of the company or its authorized agent, or use any gas without drawing it through the meters put up for the purpose of measuring the same, or shall put up any pipes or burners without having them inspected and approved by the proper officer appointed by the corporation to inspect, at proper times and under circumstances, the pipes, meters and burners, et cetera, put up in any building, he, she or they so offending shall be subject to a penalty of not less than twenty nor more than eighty dollars, to be recovered before any justice of the peace as debts under one hundred dollars are recovered, one-half to go to the informer, who shall be a competent witness, the other half to the company.

Penalty for using gas without authority.

SECTION 7. That if any person shall wilfully or maliciously do, or cause to be done, any act or acts whatever, whereby any building, construction or works of said company, or any gas pipe, gas post, gas burner or reflector, or any matter or thing appertaining to the same, shall be stopped, obstructed, injured or destroyed, the person or persons so offending shall be considered guilty of a misdemeanor, and may be therefor indicted in the court of quarter sessions; and on conviction thereof, shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars, or be imprisoned for a period of time not less than ten days nor more than one year, or both, at the discretion of the court: *Provided*, That such prosecution shall in no way impair the right of said company to a full compensation in damages by a civil suit.

Penalty for injuries to works.

Proviso.

SECTION 8. That if any subscriber for stock to said company, or his, her or their assigns, shall refuse or neglect to pay any

Payment of instalments.

instalment called for by the said company at the place appointed, and the same shall remain unpaid for thirty days after the time appointed, he, she or they shall, in addition to the instalment called in, pay at the rate of five per centum per month for delay; and if the same shall remain unpaid for the said thirty days, it shall be in the power of the said company to forfeit said stock, and the amount paid thereon, to the use and benefit of said company, or the said company may sue for and recover the amount of said instalment or instalments due, with interest at the rate of five per cent. per month for the delay after same shall have been called in.

May issue certificates of credit.

SECTION 9. That the managers of said company are hereby authorized to issue certificates of credit, or evidences of indebtedness, for any sum or sums of money, not exceeding twenty thousand dollars at any one time, for the purpose of aiding them in the construction of their works and managing the business of the company; said certificate shall be signed by the president and attested by the secretary, and shall have such interest as may be agreed upon; said certificates shall be made payable at the office of the company within twenty years from the time of

Provide.

issuing thereof: *Provided*, That said certificate shall not issue for a less sum than one hundred dollars; and to secure the payment of said certificates, there shall be a general mortgage given upon the real estate and all the effects of the said company, for the benefit of such person or persons as may at any time hold certificates: *Provided*, That stockholders of said company shall be jointly and severally liable, in their individual capacities, for all debts due mechanics, workmen and laborers employed by and for material furnished to said company, to be sued for and collected as provided in the twelfth, thirteenth and fourteenth sections of an act incorporating the Lackawanna iron and coal company, approved April fifth, one thousand eight hundred and fifty-three.

Individual liability.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

JNO. CRESSWELL, JR.,  
*Speaker of the Senate.*

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 696.

## A N A C T

To incorporate the Allegheny and Etna Passenger Railroad Company, in Allegheny county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Thomas M. Howe, Josiah King, R. E. Sellers, Wade Hampton, Henry P. Swartz, Wm. M. Shinn, Samuel M. Wickersham, Nicholas Voeghtley, Lewis Friebach, John M. Stroub, William A. Lare, Archibald Kelly, Jacob Ziegler, J. B. Roberts, James A. Gibson, Samuel M'Kelvy, F. H. Collier, Porter R. Friend, James Lewis, Thomas Wilson, A. G. Loyd, James Richey, Robert Sample, John Shaw, Franklin Irish, John Tiernan, Harvey Childs, Casper Gang, Wm. M. Herron and Walter H. Lowrie, or a majority of them, be and they are hereby appointed commissioners, to open books for the purpose of receiving subscriptions to the capital stock of the company hereby incorporated, by the name, style and title of the Allegheny and Etna Passenger railroad company, with power to lay out, and construct, and use a railway with single track, with necessary switches and sidings, or with a double track from Federal street, in the city of Allegheny, from the intersection of the same with Ohio street, along Ohio street to the Butler plank road, and along Leacock street, from the intersection of the same with Federal street to East lane; thence along East lane to Main street; thence along Main street to Chestnut street; thence along Chestnut street to Ohio street; thence along Ohio street to the Pittsburg and Butler plank road; thence along the Pittsburg and Butler plank road to such point within the borough of Etna as may be deemed desirable; and the said company is hereby authorized and empowered, to connect with, use and occupy, for the passage of such of their cars as shall run over their said road, for a distance of at least one mile from the intersection of Federal and Ohio streets aforesaid, that portion of the Pittsburg, Allegheny and Manchester Passenger railway, situated between the intersection of Penn and St. Clair streets, in the city of Pittsburg, and the intersection of Federal and Ohio streets, in the city of Allegheny, in common with the said Pittsburg, Allegheny and Manchester Passenger railway company, and upon the same terms, conditions and restrictions as the said company is authorized to use said road, upon paying to the said Pittsburg, Allegheny and Manchester Passenger railway company one half the cost thereof, to be ascertained and assessed by three disinterested persons, acting under oath or affirmation, one to be chosen by each company, those two to select a third, or in case they are unable to agree, the third shall be chosen by the court of common pleas of the said county; the decision of a majority, after hearing both parties, to be final and



- Proviso.** conclusive: *Provided*, That the said portion of said road, and the streets over which it passes, shall be kept in repair at the joint cost and expense of both the said companies: *And provided further*, The said Allegheny and Etna Passenger railroad company is hereby authorized to lay out and construct a railway, diverging from their track on Ohio street, along the street on the east side of the East common, to the street on the south side of the said East common; thence along said street to Anderson street, and thence along Anderson street to the Hand street bridge; thence across said bridge to Hand street, in the city of Pittsburg, and along Hand street to Penn street: *Provided*, That the said company shall keep the aforesaid streets, over which it runs, in perpetual good repair from curb to curb, and that before using said streets, the consent of councils of the cities of Pittsburg and Allegheny shall first be had thereto, for so much of said streets as are situated within their respective limits.
- Capital stock.** SECTION 2. That the capital stock of the said company shall consist of two thousand shares of fifty dollars each: *Provided*, That the directors of the said company may at any time increase the same to four thousand shares, if deemed necessary to complete their said road.
- Proviso.**
- Subscriptions to stock.** SECTION 3. That when one thousand shares of the stock shall have been subscribed, and five dollars paid in on each share, the said commissioners, or any five of them, shall certify, under their hands and seals, the names of the subscribers, and the number of shares subscribed by each, to the governor of the commonwealth; and it shall be thereupon the governor's duty, by letters patent, under his hand and the seal of the state, to create and erect the said subscribers, their associates, assigns and successors, into one body politic and corporate, in deed and in law, by the aforesaid name, style and title of the Allegheny and Etna Passenger railway company; and by the said name they shall have perpetual succession, with power to make a corporate seal, and the same to alter, modify and renew at pleasure; and to ordain, establish and put in execution such by-laws, ordinances, rules and regulations as shall appear necessary and convenient for the government of said corporation, and not being contrary to the constitution and laws of the United States or of this commonwealth; and shall be able and capable of taking and holding their capital stock, and the increase and profits thereof, and of purchasing, taking, receiving and holding all such real estate and personal property as may be necessary and convenient to enable them to carry on the traffic of their said road, and the other purposes for which they are incorporated, with economy, facility and dispatch, and the same to exchange, barter, sell, let or lease, on ground rent, mortgage or lease, or otherwise dispose of, at their pleasure; and of suing and being sued, pleading and being impleaded, by their corporate name; and shall have generally all the rights, privileges, franchises and incidents belonging and appertaining to a corporation, and the right of doing all and every other matter and thing which a corporation may lawfully do.
- Letters patent.**
- Powers, &c.**
- May hold real estate.**
- Organization.** SECTION 4. That the persons named in the letters patent, or any five of them, shall, as soon as conveniently may be after the



same shall have been received, give at least ten days' notice, in two or more daily newspapers printed in the city of Pittsburg, of a time and place to be by them appointed, at which the subscribers shall proceed to organize the said corporation, and shall choose, by a majority of said subscribers, by ballot, to be delivered in person, five managers, all of whom shall be citizens of Allegheny county, who shall immediately choose one of their number to be president; all of whom shall serve until the third Monday of January then next succeeding, or until their successors are regularly and lawfully chosen: *Provided*, That each and every member of said corporation shall be entitled to a vote for each and every share of stock held by him or her. Officers.

SECTION 5. That said company shall have power to raise, on bonds, to be secured by a mortgage of the road, including all its stock and franchises, any sum not exceeding one-half of the amount of the capital stock authorized by this charter for the purpose of carrying out the true intent of this act: *Provided*, That no bond shall be issued for a less sum than one hundred dollars, with interest at a rate not exceeding seven per centum per annum. Bonds and mortgage.

SECTION 6. That said company shall not allow the transfer of any share or shares of stock, except by resolution of the board of directors, until all the instalments have been paid; and if any stockholder shall omit, for the space of six months, to pay any instalment which may have been called for, the managers of the company may either declare the share or shares of stock on which the instalment or instalments are unpaid, as foresaid, to be forfeited, or may, at their option, bring suit to recover the said instalment or instalments, with interest at the rate of twelve per centum per annum, as debts of a like amount are recoverable, against the person or persons appearing, by their books, to be the owner or owners thereof. Transfer of stock

SECTION 7. That dividends of so much of the profits of said company as shall appear advisable to the directors, shall be declared in the months of January and July, of each year, and be paid at the office of said company any time after ten days' notice from the time of declaring the same; but said dividends shall in no case exceed the amount of the net profits of said company, so that the capital stock shall never be thereby impaired; and in case the directors shall declare a dividend exceeding the amount of the net profits, and thereby impair the capital stock, shall be held individually liable for all such excess. Dividends.

SECTION 8. That said railway company shall not be permitted to use and occupy any of the streets of the said cities of Pittsburg and Allegheny, or streets of the borough of Etna, for the purposes of their railway, until the consent of the councils of said cities and borough is first thereto had by ordinance, duly passed; nor shall the said company at any time alter or change the grade or line of any street, without the consent of the councils aforesaid first had and obtained; and the said company shall keep so much of the streets of the said cities and borough from curb to curb, as may be used and occupied by them, in perpetual good repair, at the proper expense and charge of the said company: *Provided further*, That the said company, for and during the first five years after they shall commence running cars Consent of the city councils to be obtained.

*Provido.*

Per cent. on dividends to be paid into city treasury

Use and occupancy of any road, bridge, turnpike, &c., relative to.

Proviso.

Gauge of road.

Penalty for injury to property, &c.

upon said road, shall pay into the city treasury, for the use of the said city, the sum of twenty dollars per year, for each car run over their said road ; and for and during the five years thence next ensuing, the sum of thirty dollars per year for each car, as aforesaid ; and from thence thereafter, the sum of forty dollars per year for each car run over said road ; and, also, for the first five years after they commence running cars upon said road, the said company shall pay into the city treasury, for the use of said city, three per cent. of the dividends or net profits of said company ; and from thence thereafter, said company shall pay into said treasury, for the use of said city, five per centum of the dividends or net profits of said company.

SECTION 9. That before the said railway company shall use and occupy any portion of any turnpike, plank road, bridge, or street or road of any borough, if the said railway company and said turnpike, plank road or bridge company, or councils of any borough, cannot agree upon the terms for the use thereof, within thirty days from the organization of the said company, the said company may apply, by petition, to the court of quarter sessions of Allegheny county, setting forth the facts, and praying the court to appoint a time for the hearing of the parties, not more than twenty days from the filing of the said petition, of which time and place the opposite party shall have at least ten days' notice ; and the court shall, immediately after hearing the said parties, proceed to fix and adjudge the rate of compensation to be allowed and paid by said company for the use of such turnpike, plank road, bridge or street, and the terms on which it shall be used, and the mode and manner in which the same shall be kept up by the respective parties ; which judgment shall be and remain final and conclusive between the parties : *Provided further*, The said Allegheny and Etna Passenger railway company shall have full power and authority to make such changes in the grade of said turnpike and plank roads as may be required to enable them to use their railway with ease and convenience.

SECTION 10. That the said railway company shall be and they are hereby required to lay the track of their said road of such a gauge as to be most convenient for the use of carriages and buggies passing over the said road ; and in all cases the carriage or vehicle following the car shall have the right to the track, and the carriage or vehicle coming in the opposite direction shall be required to turn off the track.

SECTION 11. That if any person or persons shall wilfully break, remove, destroy or injure any part of the said railway, or the cars, carriages, stations, houses or other buildings or property of said company, or shall, without the consent of said company, obstruct or impede the passage on or over the said railway, or any part thereof, the person or persons so offending shall forfeit and pay, for every such offence, the sum of five dollars to the said company ; but no such suit shall be brought unless commenced within sixty days after such offence shall have been committed ; and the person or persons so offending shall be and remain liable, in addition to said penalty, to action or actions at the suit of said railway company, for any loss or damage occasioned by his, her or their act or acts as aforesaid.

SECTION 12. That the councils of Allegheny city shall have Power of councils of Allegheny city power to establish such regulations, in regard to said railway, as may be required for the purpose of paving, repairing, grading, culverting and laying gas and water pipes in and along the streets in said city, used by said company, and to prevent obstructions thereon; and the said company shall never obstruct the streets or roads over which their road passes, by permitting the passage of freight or burden cars, or the use of locomotive engines thereon: *Provided*, That this section shall not be construed to prevent said railway company from running freight or burden cars, drawn by horses, between the hours of nine o'clock at night and seven in the morning, on the said road west of the Allegheny river, whenever the councils of said city shall, by ordinance duly passed, authorize the same. Proviso.

SECTION 13. That no greater fare shall be charged upon said road per passenger, to or from Etna, than ten cents; for any distance less than two miles, five cents; and for any greater distance, not more than two and one-half cents a mile; but in no case to exceed ten cents. Amount of fare fixed.

SECTION 14. That said railway company shall, at the intersection of their road with any railroad upon which locomotives are used, cause their cars to stop before crossing the same, under a penalty of twenty-five dollars for each violation of this section Cars to stop before crossing railroad tracks.

SECTION 15. That the said company shall commence the construction of the railway hereby authorized, within one year after the consent of the councils of the city of Allegheny shall have been given to the same, and complete the same to Etna within two years thereafter. Limitation

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

JNO. CRESSWELL, JR.,  
*Speaker of the Senate.*

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 697.

## A N A C T

To authorize the Washington Hose Company, of Harrisburg, to sell certain Real Estate, &c.

WHEREAS, The Washington hose company, of Harrisburg, at a regular meeting of the same, held on the fourth day of March, A. D. one thousand eight hundred and fifty-nine, determined, by resolution, to change their present location on Second street Preamble.

and Meadow lane, in the borough of Harrisburg, and appointed a committee of five members, belonging to said company, to dispose of the house and property now occupied by said company, and to purchase, on behalf of the company, another one, more central and suitable for the objects and purposes of the association, on certain terms and conditions, and not exceeding a certain fixed price therein mentioned :

*And whereas,* It is believed that by the constitution and by-laws of the said company no power is conferred upon them, sufficient to enable the said company to effect the objects and purposes contemplated in the proceedings of the meeting and the resolution adopted, as before referred to ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said Washington hose company, of Harrisburg, be and it is hereby authorized and empowered, under the name, style and title aforesaid, and shall be capable, in law, to have, get, receive, purchase, hold and possess goods and chattles, lands and tenements, rents and hereditaments, to them and their successors, in fee simple or otherwise, not exceeding the yearly value of five hundred dollars ; and also to grant, sell, let and assign the same lands, tenements, hereditaments and rents ; and by the name and style aforesaid, the said company shall be capable, in law, to sue and be sued, plead and be impleaded in any of the courts of law of this commonwealth, in all manner of actions whatsoever, and to have and use one common seal, and the same, from time to time, to change and alter until it be otherwise directed by law.

Powers and privileges.

Authorized to sell real estate.

SECTION 2. *And be it further enacted by the authority aforesaid,* That the said company, under the name, style and title aforesaid, be and they are hereby authorized and empowered to bargain and sell, on such terms and conditions, and for such consideration as to said company shall seem proper and right, all the real estate now owned by said company, to such person or persons as they may think proper ; and, upon such sale, to convey the same, in fee simple, by deed executed under the seal of the said company, and signed by the president thereof and countersigned by the secretary.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

JNO. CRESSWELL, JR.,  
*Speaker of the Senate.*

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER

No. 698.

## A N A C T

To incorporate the Moyamensing Fire Insurance Company, to be located in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* John M. Butler, J. Tash, J. Barclay Harding, A. J. Fougeray, M. M'Cullough, R. Farrell, J. Queen, John Dickenson, William Keim, J. E. Shaw and P. B. Winning, are hereby appointed commissioners, who, or any five of whom, are authorized and empowered, from and after the passage of this act, to establish an insurance company, by the name and title of the Moyamensing fire insurance company, to be located in the city of Philadelphia, with a capital stock of twenty-five thousand dollars, divided into shares of fifty dollars each, with the right to increase said capital, at any time, to two hundred thousand dollars; and to be organized and managed according to the provisions of an act to provide for the incorporation of insurance companies, approved the second day of April, Anno Domini one thousand eight hundred and fifty-six, and shall be limited to risks in the first class, in the seventh section of said act, with the right to transact its business upon the mutual principle in connection with its capital stock, as aforesaid.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

JNO. CRESSWELL, JR.,  
*Speaker of the Senate.*

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 699.

## A N A C T

Empowering Sabina R. Sloan to sell certain Real Estate.

WHEREAS, John J. Sloan, late of Armstrong county, Pennsylvania, died seized in his demesne, as of fee of, in and to a tract of land situate in Wayne township, Armstrong county, bounded on the north by lands of Samuel M'Gaughey, east by Samuel

Cassady, south by John Wadding, and west by William Blair, containing seventy acres, more or less, with no improvements, except an old barn; said decedent died intestate, leaving a widow, Sabina Sloan, and five children, to wit: Samuel Cartis, Cynthia, William Thompson, Ann Eliza and Mary Lavinia, all in their minority, and of whom she, the said Sabina, is guardian:

*And whereas*, It also appearing that the personal assets of said decedent were sufficient to pay his debts, but the real estate aforesaid is dilapidated, and going to decay, and it would be for the interest of the minors to sell the same; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That she, the said Sabina Sloan, guardian of said minor children, is hereby authorized and empowered to sell said tract of land at public or private sale, as may be for the best interest of the heirs, and to make a deed, in fee simple, to the purchaser or purchasers thereof; and she is further hereby empowered to invest the money belonging to the heirs arising from said sale, by loaning it out on good real estate security, or by purchasing other real estate which is productive, so as to secure and preserve the interest of the children: *Provided however*, That as she was appointed guardian by the orphans' court of Clarion county, she shall (if she has not) give security, to be approved by said orphans' court, or a judge thereof, for the faithful performance of the trust, before she makes the sale she is hereby empowered to make.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

JNO. CRESSWELL, JR.,  
*Speaker of the Senate.*

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

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No. 700.

## A N A C T

To incorporate the Montrose Gas Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That Wm. Jessup, Leonard Searle, Joseph B. Slocum, Sidney B. Wells, S. N. Chittenden, B. S. Bentley, Isaac L. Post, Henry Drinker, D. R. Lathrop, be and hereby are appointed commissioners,



and they, or a majority of them, are hereby authorized to carry into effect the establishment of a gas company, to be located within the borough of Montrose, or vicinity, county of Susquehanna, under the name, style and title of the Montrose gas company, with a capital stock of thirty thousand dollars, with a privilege of increasing to one hundred thousand dollars, to be divided into shares of twenty-five dollars each; to be organized, managed and governed as provided by an act, entitled "An Act to provide for the incorporation of gas and water companies," approved the eleventh day of March, Anno Domini one thousand eight hundred and fifty-seven, and be subject to all the restrictions and provisions, together with all the immunities contained in said act.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

JNO. CRESSWELL, JR.,  
*Speaker of the Senate.*

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

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No. 701.

## AN ACT

To incorporate the Monongahela Passenger Railway Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* William M. Lyon, William Phillips, Barclay Preston, Peter Connelly, Max K. Morehead, Thomas M. Howe, C. G. Hussey, Robert H. Palmer, Robert Arthurs, T. Frank, Harry Woods, Edward Campbell, junior, William Bagaley, Thomas Williams, George Darsie, James Gardiner, Marshall Swartzwelder, William H. Brown, Thompson Douglas, John W. Butler, A. Garri-  
son, John F. M'Kenzie, George Thompson, Aaron Floyd, George  
Wilson, Will A. Lare, Montgomery Fedder, James Onslow,  
George W. Jackson and David Irwin, or a majority of them, be  
and they are hereby appointed commissioners to open books for  
the purpose of receiving subscriptions to the capital stock of the  
company hereby incorporated, by the name, style and title of  
the Monongahela Passenger railway company, with power to lay  
out and construct a passenger railway from the corner of Second  
and Market streets, in the city of Pittsburg, to the village of  
Braddock's Field, in Wilkins township, by the route hereinafter  
mentioned, and with single or double tracks; that is to say:

Commissioners.

Route.

Proviso.	Beginning at the corner of Second and Market streets, in said city; thence, with single or double track, along Second street to the boundary of said city, at or near dam number one, on the Monongahela river; and thence along the Pittsburg and Braddock's Field plank road to the village of Braddock's Field: <i>Provided</i> , That whenever any damages may be sustained, or are likely to be sustained, by reason of this company taking possession of land or other property, or private roads, (except so far as the usufruct of the beforenamed public streets and roads,) necessary to the full and perfect enjoyment of the purposes of this act designed, the said damages shall be assessed and paid
Subject to.	in the manner and according to the provisions of the eleventh section of the act of nineteenth of February, Anno Domini one thousand eight hundred and forty-nine, entitled "An Act regulating railroad companies," and the several supplements thereto:
Proviso.	<i>And provided also</i> , That any passenger railway company now or hereafter incorporated, with authority to construct a passenger railway from the city of Pittsburg to the borough of Birmingham, is hereby authorized and empowered to connect with, use and occupy, for the passage of their cars, that portion of the Monongahela Passenger railway situated between Market street and the upper Birmingham bridge, in common with the Monongahela Passenger railway company, upon the same terms, conditions and restrictions as the said company is authorized to use said road, upon paying to the said Monongahela Passenger railway company one-half the cost and repairs thereof, to be ascertained and assessed by three disinterested persons, acting under oath or affirmation, one to be chosen by each company, those two to select a third, or in case they are unable to agree, a third shall be chosen by the court of common pleas of said county; the decision of a majority, after hearing both parties, to be final and conclusive.
Capital stock.	SECTION 2. That the capital stock of the said company shall consist of one thousand shares, of fifty dollars each: <i>Provided</i> ,
Increase of.	That the directors of the said company may, at any time, increase the same to not more than three thousand shares, if deemed necessary to complete their said road.
Subscription to stock.	SECTION 3. That when four hundred shares of the stock shall have been subscribed, and five dollars paid in on each share, the said commissioners, or any five of them, shall certify, under their hands and seals, the names of the subscribers, and the number of shares subscribed by each, to the governor of the commonwealth; and it shall be thereupon the governor's duty, by
Letters patent.	letters patent, under his hand and the seal of the state, to create and erect the said subscribers, their associates, assigns and successors, into one body politic and corporate, in deed and in law, by the aforesaid name, style and title of the Monongahela Passenger railway company; and by the said name they shall have perpetual succession, and all the rights, privileges, franchises and incidents belonging and appertaining to a corporation, and necessary for carrying out the true intent and meaning of this act, and the right of doing all and every other matter and thing which a corporation may lawfully do.
Powers.	
Organization.	SECTION 4. That the persons named in the letters patent, or any five of them, shall, as soon as conveniently may be after the

same shall have been received, give at least ten days' notice, in two or more daily newspapers printed in the city of Pittsburg, of a time and place to be by them appointed, at which the subscribers shall proceed to organize the said corporation, and shall choose, by a majority of said subscribers, by ballot, to be delivered in person, five managers, all of whom shall be citizens of Allegheny county, who shall choose one of their number president; all of whom shall serve until the third Monday of January then next succeeding, or until their successors are regularly and lawfully chosen: *Provided*, That each member of said corporation shall be entitled to a vote for each share of stock held by him or her. Officers. Proviso.

SECTION 5. That said company shall have power to raise, on bonds, to be secured by a mortgage of the road, including all its stock and franchises, any sum not exceeding the amount of the capital stock authorized by this charter, for the purpose of carrying out the true intent of this act: *Provided*, That no bond shall be issued for a less sum than one hundred dollars, with interest at a rate not exceeding seven per centum per annum. Bonds and mortgage.

SECTION 6. That said company shall not allow the transfer of any share or shares of stock, except by resolution of the board of directors, until all the instalments have been paid; and if any stockholder shall omit, for the space of six months, to pay any instalment which may have been called for, the managers of the company may either declare the share or shares of stock on which the instalment or instalments are unpaid, as aforesaid, to be forfeited, or may, at their option, bring suit to recover the said instalment or instalments, with interest at the rate of twelve per centum per annum, as debts of a like amount are recoverable, against the person or persons appearing, by their books, to be the owner or owners thereof. Transfer of stock

SECTION 7. That dividends of so much of the profits of said company as shall appear advisable to the directors, shall be declared in the months of January and July, of each year, and be paid at the office of the company any time after ten days' notice from the time of declaring the same; but said dividends shall in no case exceed the amount of the net profits of said company, so that the capital stock shall never be thereby impaired; and in case the directors shall declare a dividend exceeding the amount of the net profits, and thereby impair the capital stock, they shall be held individually liable for all such excess. Dividends.

SECTION 8. That the said company, before commencing to construct said road, shall purchase, at the option of the owners, the stock of horses, harness, omnibuses, wagons and sleighs owned and used by any individual or omnibus company, on said Second street, at the time of commencing the construction of said road, at a price to be assessed in the following manner: The said owners shall choose one disinterested person, and the said railway company shall choose another person, and the two thus chosen shall choose a third, who, together, shall be disinterested persons, and appraise such stock, and the value thus arrived at, by a majority of said appraisers, shall be final and conclusive. Purchase of omnibuses, horses, &c.

SECTION 9. That the said railway company shall not be permitted to use and occupy any of the streets of the said city, for the purposes of their railway, until the consent of the city Consent of city councils to be obtained.

councils is first thereto had by ordinance duly passed, nor shall the said company, at any time, alter or change the grade or line of any street, without the consent of councils first had and obtained; and the said company shall keep so much of the streets of the said city, as may be used and occupied by them, in perpetual good repair, from curb to curb, at the proper expense and charge of the said company: *Provided further*, That the said company, for and during the first five years after they shall commence running cars upon said road, shall pay into the city treasury, for the use of the city, the sum of twenty dollars per year for each car run over their said road; and for and during the five years thence next ensuing, the sum of thirty dollars per year for each car, as aforesaid; and from thence thereafter, the sum of forty dollars per year for each car run over said road; and, also, for the first five, after they commence running cars upon said road, the said company shall pay into the city treasury, for use of said city, three per cent. of the dividends or net profits of said company; and from thence thereafter said company shall pay into said treasury, for the use of said city, five per centum of the dividends or net profits of said company.

Proviso.

Per centage on dividends to be paid into city treasury.

Use and occupancy of any plank road, &c., relative to.

SECTION 10. That before the said railway company shall use and occupy any portion of any plank road, if the said railway company and said plank road company cannot agree upon the terms for the use thereof, within thirty days from the organization of the said company, either company may apply, by petition, to the court of quarter sessions of Allegheny county, setting forth the facts, and praying the court to appoint a time for the hearing of the parties, not more than twenty days from the filing of the said petition, of which time and place the opposite party shall have at least ten days' notice; and the court shall, immediately after hearing the said parties, proceed to fix the rate of compensation to be allowed and paid by said company for the use of such plank road, and the terms on which it shall be used, and the mode and manner in which the same shall be kept up by the respective parties; which judgment shall be and remain final and conclusive between the parties: *Provided further*, The said Monongahela Passenger railway company shall have full power to make such changes in the grade of roads as may be required to enable them to use their railway with ease and convenience.

Proviso.

Gauge of road.

SECTION 11. That the said railway company shall be and are hereby required to lay the track of their said road of such a gauge as to be most convenient for the use of carriages and buggies passing over the said road; and in all cases the carriage or vehicle following the car shall have the right to the track, and the carriage or vehicle coming in the opposite direction shall be required to turn off the track.

Penalty for injury to property, impeding passage, &c.

SECTION 12. That if any person or persons shall wilfully break, remove, destroy or injure any part of the said railway, or the cars, carriages, stations, houses, or other building or property of said company, or shall, without the consent of said company, obstruct or impede the passage on or over the said railway, or any part thereof, the person or persons so offending shall forfeit and pay, for every such offence, the sum of five dollars to the said company; but no such suit shall be brought unless com-

menced within sixty days after such offence shall have been committed; and the person or persons so offending shall be and remain liable, in addition to said penalty, to an action or actions, at the suit of said railway company, for any loss or damage occasioned by his, her or their act or acts, as aforesaid.

SECTION 13. That the councils of Pittsburg shall have power Power of councils to establish such regulations in regard to said railway as may be required for the purpose of paving, repairing, grading, culverting and laying gas and water pipes in and along the street used by said company, and to prevent obstructions thereon; and the said company shall never obstruct the streets or roads, over which their road passes, by permitting the passage of freight or burden cars, or the use of locomotive engines thereon.

SECTION 14. That no greater fare shall be charged upon said Amount of fare fixed. road, per passenger, to or from the line of Peebles township, than five cents; for any distance less than two miles, five cents; and for any greater distance not more than two and a half cents a mile; but in no case to exceed ten cents.

SECTION 15. That said railway company shall, at the intersection of their road with any railroad upon which locomotives are used, without the city of Pittsburg, cause their cars to stop Cars to stop before crossing railroad tracks. before crossing the same, under a penalty of twenty-five dollars for each violation of this section.

SECTION 16. That the said company shall commence the construction of the railway, hereby authorized, within two years Limitation. after the consent of the councils of the city of Pittsburg shall have been given to the same, and complete the same to Frankstown within three years thereafter.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

JNO. CRESSWELL, Jr.,  
*Speaker of the Senate.*

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

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No. 702.

## AN ACT

To incorporate the Tylersville Water Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John Beerly, John Kleckner, Isaac K. Frantz, Thomas Grieb, Christian Grieb, John M. Byerly, Jacob Spangler, George Shaffer, Tobias Frantz, Henry Rooney, J. C. Byerly, Emanuel Grimes, their associates, successors and assigns, be and they are Corporators.



made and constituted a body politic and corporate, by the name and style of the Tylersville water company, and by the said name, they shall and may have perpetual succession, and may sue and be sued, in all courts and judicatories whatever, and also of contracting and being contracted with, relative to the business and objects of said company, and may have a common seal, and the same to alter or change at pleasure.

**Style.**

**Powers.**

**Further powers.** SECTION 2. That the said company shall have power and authority to convey water from any point which they may deem expedient, where pure water may be obtained in a sufficient quantity for the use of the inhabitants of Tylersville, in the county of Clinton, and to convey and conduct the same, through any public or private grounds, roads, streets or alleys, to and in said Tylersville, by pipes or otherwise, and they shall have power to construct, provide, erect and maintain all such works, reservoirs, cisterns and machinery necessary for the purposes aforesaid.

**Capital stock.** SECTION 3. That the capital stock of said company shall consist of three thousand dollars, consisting of six hundred shares, of five dollars each; and the said corporators shall procure a book and therein enter as follows: We, whose names are hereunto subscribed, do promise to pay to the president and managers of the Tylersville water company, the sum of five dollars for every share of stock set opposite our names respectively, at such time as shall be determined by the said president and managers, for the purpose of supplying the citizens of Tylersville with pure water, according to the provisions of an act of assembly, entitled "An Act to incorporate the Tylersville water company." Witness our hands and seals the                      day of

**Form of subscription.**

**Officers to be chosen annually.** SECTION 4. That the officers of said company shall consist of six managers, to be chosen annually by the stockholders, on the first Monday of May, in each year, one of whom shall be elected president, one secretary, and one treasurer of said company; a majority of the managers to form a quorum for the transaction of business; the election to be held and conducted as may be prescribed by the by-laws; but until the election as aforesaid, the above named corporators, or a majority of them, shall act as the managers of said company, and may elect a president, secretary and treasurer, at their first meeting after the passage of this act.

**Quorum.**

**Election of officers.**

**By-laws.** SECTION 5. That said company shall have power to make and adopt, from time to time, such by-laws, rules and regulations as they may deem proper, for the management and transaction of the business of said company, and for regulating the use of said water, and to fix the rates of prices to be paid by the citizens and others for the same, and to protect the pipes and other works from damage or destruction, and generally for carrying into full effect the objects contemplated by this act.

**Water rates.**

W. C. A. LAWRENCE,

*Speaker of the House of Representatives.*

JNO. CRESSWELL, JR.,

*Speaker of the Senate.*

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine. WM. F. PACKER.



No. 703.

## A N A C T

To incorporate the Protection Fire Insurance Company, to be located in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Albert G. Waterman, N. Petry, Andrew J. Holman, Jeremiah L. Hutchinson, Frederick M. Adams and William W. Harding, are hereby appointed commissioners, who, or any five of whom, are authorized and empowered, from and after the passage of this act, to establish an insurance company, by the name and title of the Protection fire insurance company, to be located in the city of Philadelphia, with a capital stock of twenty-five thousand dollars, divided into shares of twenty-five dollars each, with the right to increase said capital, at any time, to one hundred thousand dollars; and to be organized and managed according to the provisions of an act to provide for the incorporation of insurance companies, approved the second day of April, Anno Domini one thousand eight hundred and fifty-six, and shall be limited to risks designated in the first class, in the seventh section of said act, with the right to transact its business upon the mutual principle, in connection with its capital stock, as aforesaid.

W. C. A. LAWRENCE,

*Speaker of the House of Representatives.*

JNO. CRESSWELL, JR.,

*Speaker of the Senate.*

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 704.

## A N A C T

To incorporate the Pittston Gas Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That R. J. Wisner, O. F. Gaines, Thomas Ford, J. Henry Puleston,

Theodore Strong, Miles Jacobs, R. D. Lacoe and David Morgan be and they are hereby appointed commissioners, and they, or a majority of them, are hereby authorized to carry into effect the establishment of a gas company, to be located within the boroughs of Pittston and West Pittston, and county of Luzerne, under the name, style and title of the Pittston gas company, with a capital stock of thirty thousand dollars, to be divided into shares of twenty-five dollars each; to be organized, managed and governed as provided by an act, entitled "An Act to provide for the incorporation of gas and water companies," approved the eleventh day of March, one thousand eight hundred and fifty-seven, and be subject to all the restrictions and provisions, together with all the immunities, contained in said act.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

JNO. CRESSWELL, JR.,  
*Speaker of the Senate.*

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 705.

## AN ACT

To incorporate the Harrisburg Park Association, in Dauphin county.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That  
 Corporators. William H. Kepner, D. J. Unger, William Metzger, Richard Fox, Anthony King, John H. Ziegler, B. G. Peters, Philip Linn, Wm. F. Murray, Fred'k P. Haehnlin, Isaac G. Updegrove, H. W. Hoffman and John Hoffer, their associates and successors, be and they are hereby created a body politic and corporate, in  
 Style. law, by the name, style and title of the Harrisburg park association, and by that name shall sue and be sued, and shall generally  
 Powers. possess the powers and privileges of a corporation, with power to purchase, hold, sell, transfer or lease real or personal property in their corporate capacity.

**SECTION 2.** That the object of said association shall be to provide, keep and maintain, in the county of Dauphin, grounds and other real and personal estate, of a net yearly value not exceeding five thousand dollars, suitable for gymnastic and other healthful and amusing exercises, and to hold exhibitions in the manner heretofore exercised by the state and county agricultural societies,

Objects and purposes.

for the improvement of the breed of horses, cattle and live stock generally, under such arrangements as may be prescribed by the board of directors; and to offer and pay such premiums, for stock so exhibited, and their performances, as they may deem necessary to promote the object of said exhibitions: *Provided*, Proviso. That the right of admission to such exhibitions shall be confined to the annual subscribers, authorized by this act, and to all other persons, on such terms as may be prescribed by the by-laws.

SECTION 3. That so much of the profits of said association as shall be deemed expedient by the directors, shall, from time to time, be divided among the stockholders; but no dividend shall be declared which will impair the capital stock of said association. Profits and dividends, relative to.

SECTION 4. That the capital stock of said association shall be five thousand dollars, divided into shares of twenty-five dollars each, with the privilege of increasing the same to any amount not exceeding twenty thousand dollars: *Provided*, That two-thirds of the stockholders consent to the same. Capital stock. Proviso.

SECTION 5. That at all meetings or elections, held by said association, the scale of voting shall be as follows: each shall entitle a member to one vote per share of stock held, and stockholders shall have the privilege of voting by proxy, given to stockholders in the association, at all elections for members and officers. Votes.

SECTION 6. That said association to have annual subscribers, not exceeding one thousand in number, each of whom shall pay to the treasurer thereof such sum as may be prescribed by the board of directors: *Provided*, That no person shall be received as a subscriber under the provisions of this act, without the approbation of the board of directors; and the privileges of a subscriber shall at all times be subject to such rules and regulations as the board of directors may from time to time adopt. Annual subscribers. Proviso.

SECTION 7. That the officers of the association shall consist of a president, a board of nine directors, a secretary and a treasurer, who shall be elected by ballot, at such time and place, and in such manner as shall be prescribed by the corporators or by-laws. Officers.

SECTION 8. That no public or private road or alley of any kind shall be laid out or opened in or through the grounds or enclosures, occupied by this association for the exhibition of cattle, horses or other live stock, without the consent of two-thirds of the stockholders thereto. No public road or alley to be opened through grounds.

SECTION 9. That the said association shall have the right and power to enact and enforce by-laws, prohibiting all prize fighting, betting, gambling of any description, selling, bringing or using intoxicating drinks upon or near the premises of the association, and to eject from the premises all persons committing these or any other nuisance or disorder: *Provided further*, That the provisions of this section shall apply to any person or persons who shall erect or keep stands, or offer for sale or exhibit any description of articles, near the said premises, which may be deemed injurious to their exhibitions. Further powers. Proviso.

SECTION 10. That every original subscriber shall be a member, but no transfer of stock shall confer the right of membership upon the transferee, or entitle him to vote at any meeting or Membership.

election of said association, except such transfer shall be approved of by the board of directors, in such manner as the by-laws shall provide.

Further powers.

SECTION 11. That the board of directors of said association shall have the power to assess upon each share of stock a sum not exceeding five dollars per annum; and if the same shall not be paid at such time as the board of directors may direct, the privilege of membership of the defaulting member shall be suspended until his assessments shall be paid; and if said assessment shall not be paid within one year after it shall have become due, then the share or shares of stock, on which said assessment remains due and unpaid, may be forfeited by the board of directors, and sold for the benefit of the association: *Provided*, That at least thirty days' notice shall be given of such assessment, and at least sixty days' notice to a defaulting member, before any sale shall be made.

Proviso.

SECTION 12. That the members of said association shall have the right, at the first or any subsequent meeting, to establish and enforce such by-laws for the government of the association, as they may deem expedient, which by-laws shall not be inconsistent with the constitution of the United States, the constitution of this state, or the provisions of this act.

By-laws.

Commissioners to receive subscriptions.

SECTION 13. That William H. Kepner, John H. Ziegler and Philip Linn, shall be and are hereby appointed commissioners to open books and obtain subscriptions to the stock of said association, at such time and place and under such regulation, as they may deem expedient.

W. C. A. LAWRENCE,

*Speaker of the House of Representatives.*

JNO. CRESSWELL, JR.,

*Speaker of the Senate.*

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

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No. 706.

## AN ACT

To incorporate the Spring Garden Fire Engine Company, of the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all and every the persons who shall, at the time of the passage of this act, be members of the association called the Spring Garden fire engine company, in the city of Philadelphia, and such

Corporators.

as shall hereafter be associated with them, shall be and they are hereby created and declared to be one body politic and corporate, by the name, style and title of the Spring Garden fire engine company; and by the same name shall sue and be sued, plead and be impleaded, in all courts of record or elsewhere; and to purchase, receive, have, hold and enjoy, to them and to their successors, lands, tenements, rents, annuities, franchises, hereditaments, goods and chattels, of what nature, kind or quality soever, real, personal or mixed, or choses in action, and the same, from time to time, to sell, grant, alien, mortgage, demise, lease or dispose of: *Provided*, That the clear yearly value or income of the real or personal estate of the said corporation shall not exceed the sum of two thousand dollars (\$2,000;) and also to make and have a common seal, and the same to break, alter and renew at pleasure; and also to ordain, establish and put in execution such by-laws and ordinances and regulations as shall appear necessary and convenient for the government of said corporation, not being contrary to this charter, or to the constitution and laws of the United States or this commonwealth; and generally to do all and singular the matters and things which to them it shall lawfully appertain to do for the well being of said corporation, and the due management and ordering the affairs thereof.

SECTION 2. That the following shall be the fundamental articles of the said corporation: Articles of corporation.

*Article I.* The object of this company shall be the promotion of public good by the extinguishment of fires.

*Article II.* The funds of the company shall be appropriated to no other objects than those for which the association was instituted.

*Article III.* The legislature reserves the right to amend or alter this charter at any time hereafter; and the same shall not, directly or indirectly, be considered as conferring any other privileges than as a fire company.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

JNO. CRESSWELL, JR.,  
*Speaker of the Senate.*

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 707.

## A N A C T

To incorporate the Elm Tree Fire Insurance Company, to be located in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* John B. Myers, S. Morris Waln, Robert Ewing, Paul T. Jones, William Trimble, Stephen Coulter and Gilbert S. Sterling are hereby appointed commissioners, who, or any five of whom, are authorized and empowered, from and after the passage of this act, to establish an insurance company, by the name and title of the Elm Tree fire insurance company, to be located in the city of Philadelphia, with a capital stock of one hundred thousand dollars, divided into shares of twenty-five dollars each, with the right to increase said capital at any time to five hundred thousand dollars; and to be organized and managed according to the provisions of an act to provide for the incorporation of insurance companies, approved the second day of April, Anno Domini one thousand eight hundred and fifty-six, and shall be limited to risks designated in the first class, in the seventh section of said act, with the right to transact its business upon the mutual principle, in connection with its capital stock, as aforesaid.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

JNO. CRESSWELL, JR.,  
*Speaker of the Senate.*

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 708.

## A N A C T

To incorporate the Wilkesbarre and Kingston Passenger Railway Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*



L. D. Shoemaker, S. H. Puterbaugh, A. R. Brundage, Thomas M. Atherton, Ezra B. Chase, E. S. Goodrich, Alexander Farnham, A. H. Reynolds, Payne Pettibone, Samuel Wadhams, John Urquhart, C. T. Ingham, P. C. Gritman, Charles Dorrance, A. C. Lanning, G. M. Harding, W. Lee, Jr., H. M. Fuller, George P. Steele, W. W. Ketcham and Charles Bennett, or a majority of them, are hereby appointed commissioners to open books, receive subscriptions, and organize a company, by the name, style and title of the Wilkesbarre and Kingston Passenger railway company, with powers and authorities to lay out and construct a railway, commencing at the junction of Main street with the north-east corner of the public square in the borough of Wilkesbarre; and from thence by the north-east side of said public square to Market street, and along Market street to the Susquehanna river; and from thence by the most feasible route to the depot of the Lackawanna and Bloomsburg railroad, at Kingston, in the county of Luzerne; subject to all the provisions and restrictions of an act regulating railroad companies, approved the nineteenth day of February, one thousand eight hundred and forty-nine, and the several supplements thereto, so far as the same may not be altered or supplied by this act.

SECTION 2. That the capital stock of the said company shall consist of five hundred shares, of fifty dollars each; and the said company shall have the power to borrow any sum, not exceeding in amount the one-half of their capital stock, at a rate of interest not exceeding seven per centum per annum, and to secure the payment of the same by the issue of a bond and mortgage of the said railway, together with the corporate rights and franchises granted by this act, and to annex to the said bond and mortgage the privilege of converting the same into the capital stock of the said company, at par, at the option of the holders, if they shall signify their election one year before their maturity: *Provided*, That the said company shall issue no certificate of loan of a less denomination than one hundred dollars.

SECTION 3. That said company shall have power to elect or appoint a president and five directors, and such other officers as shall be deemed necessary or expedient; and in every election for officers, each share of stock shall entitle the holders to one vote.

SECTION 4. That before the said company shall commence to use any street or streets in the boroughs of Wilkesbarre and Kingston, the consent of the councils of said boroughs shall first be obtained; and the said councils may, from time to time, by ordinances, establish such regulations in regard to said railway, as may be required for the purposes of grading, &c., along said streets, and also to prevent obstructions thereon: *Provided*, That no portion of the said passenger railway, or any branch thereof, or any building or other thing connected therewith, shall ever be located and constructed in or upon that part of Union street, in said borough of Wilkesbarre, extending from Main street to River street, in said borough.

SECTION 5. That said company shall have the right to construct a bridge across the Susquehanna river, at Wilkesbarre, any point most convenient for the purpose of their said road.

May hold real estate.

Proviso.

May widen public highway.

Proviso.

SECTION 6. That the said company shall have the right to purchase real estate, and erect thereon such buildings and improvements as may be deemed expedient and necessary for the purposes of said company, and also to purchase the necessary equipments for their said road: *Provided*, That before opening their said road for public use, they shall purchase the omnibus stock in use at that time for the purpose of conveying passengers between Wilkesbarre and Kingston; the same to be appraised by three disinterested persons, agreed upon by the said company, and the owner or owners of said stock.

SECTION 7. That the said company shall have the right to widen the public highway between Wilkesbarre and Kingston, if they shall use the same, to such width as may be necessary for the purposes of the said railway: *Provided*, The said highway shall not be impaired thereby, nor the convenience of the public be interfered with.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

JNO. CRESSWELL, JR.,  
*Speaker of the Senate.*

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

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No. 709.

## AN ACT

To incorporate the Pittsburg Gymnastic Association.

Preamble.

WHEREAS, It has become a great necessity in large cities, that physical development and activity should receive such care as will best insure health to those who are severely taxed by labor, and the hurtful effects of sedentary occupations:

*And whereas*, Manly vigor and strength are greatly promoted by judicious exercises; therefore,

Corporators.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That Robert L. Coltart, James M'Gregor, J. D. M'Faden, Frank Van Gorder, Evans R. Darlington, A. S. Bell, A. B. Bonnafon, E. H. Stowe, S. J. Adams, R. A. M'Combs, R. C. Schmertz, Wm. G. M'Candless, James D. Cotter, Jacob S. Rymer, George P. Coots and William D. Cooper, of the city of Pittsburg, in the county of Allegheny, Pennsylvania, and their successors, and such other persons as are now, or may hereafter become, members of the association, now known as the Pittsburg gymnastic

association, be and they are hereby erected and constituted a body politic and corporate, in deed and in law, by the name and style of the Pittsburg gymnastic association, to be located in the city of Pittsburg, having for its object the purpose set forth in the above preamble.

SECTION 2. The officers of the said association shall consist of a president, vice president, secretary and treasurer, to be elected by ballot, on the last Monday of December of each and every year, who shall hold their office for the term of one year, from the first day of January of each year, and in case of a vacancy occurring, the board of managers, (hereinafter to be provided for,) shall notify the association, and appoint a time to fill the same; it shall be the duty of the president to preside at all meetings, to preserve order, to impose all fines, appoint all committees, and annually to appoint a board of ten managers, until such board shall be otherwise provided for by said association; it shall be the duty of the vice president to preside in the absence of the president, and to act in his stead when the latter is necessarily absent.

Officers and election of.

Vacancies, how filled.

Duty of president.

Vice president.

SECTION 3. The secretary shall keep a journal of all the proceedings of the association, and of the board of managers, give notice of all meetings, preserve all papers, notify the members of the amount of their dues, collect all dues and fines, pay the same over to the treasurer, taking his receipt for the same; the treasurer shall receive all moneys belonging to the association, receipt for the same, and pay all warrants drawn on him by order of the board of managers, signed by the president and secretary, and shall give such security for the faithful performance of his duties, as may be required of him under the regulations and by-laws of said association.

Secretary.

Treasurer.

SECTION 4. The board of managers shall consist of thirteen members, (the president, vice president and secretary being members thereof *ex officio*,) whose duty it shall be to take charge of the gymnasium, and have full control over all the property and fixtures, transact all business appertaining to the association, such as finance, erecting and repairing fixtures, and having full power and authority to act in all matters, in such way as may be deemed by them necessary for the best interests and proper management of said association.

Managers and duty of.

SECTION 5. The said association shall have full power, from time to time, to make all such needful rules, regulations and by-laws as may be deemed expedient, regarding the admission of members, their initiation or other fees, expulsion and punishment, and all such other matters as may be deemed requisite for the government of said association, and to carry into effect the objects thereof: *Provided*, The same be in accordance with the laws and constitution of the commonwealth of Pennsylvania.

Regulations and by-laws.

Proviso.

SECTION 6. That said corporation shall have authority to hold a common seal and use the same, and the same to change, alter and amend at pleasure, and by the name, style and title aforesaid, shall be able and capable in law and equity to sue and be sued, plead and be impleaded in any court of this commonwealth, or elsewhere, and have perpetual succession; and said corporation shall, also, by the name and title aforesaid, be able

Seal.

Powers and privileges.

and capable in law and equity, to take and hold, either by purchase, gift, grant, devise or lease, any lands or real estate for the use of said association, and also to take and hold, for the use of said association, any goods and chattels, lands and tenements, sum or sums of money, by gift, grant, bargain and sale, will, devise and bequest, from any person or persons whatsoever, capable of making the same, and the same at pleasure to grant, bargain, sell or lease, for the use of the said association: *Provided however*, That said corporation shall not hold, own or possess any real estate to a greater value than fifty thousand dollars.

Proviso.

First officers,  
terms of.

SECTION 7. The present president, vice president, secretary and treasurer, and board of managers, shall continue to be and act as the same, until the expiration of their present term of office.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

JNO. CRESSWELL, JR.,  
*Speaker of the Senate.*

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

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No. 710.

## A SUPPLEMENT

To an act to incorporate the Philadelphia and New Hope Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the act to incorporate the Philadelphia and New Hope railroad company, to which this is a supplement, approved the seventeenth day of June, one thousand eight hundred and thirty-nine, is hereby revived, and the time of commencing the same extended for ten years from the passage of this act, with like powers and restrictions as contained in the original act.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

JNO. CRESSWELL, JR.,  
*Speaker of the Senate.*

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 711.

## A N A C T

To incorporate the Armstrong Gas Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Edward S. Golden, J. E. Stevenson, James Douglass, Joseph L. Reed, Ephraim Buffington, William Colwell, Charles B. Schotte, Samuel N. Chittenden and John W. Rohrer be and they are hereby appointed commissioners, and they, or a majority of them, are hereby authorized to carry into effect the establishment of a gas company, to be located within the borough of Kittanning or vicinity, and county of Armstrong, under the name, style and title of the Armstrong gas company, with the exclusive right and authority to supply the borough of Kittanning and vicinity with gas light. Commissioners. Style.

SECTION 2. The capital stock of said Armstrong gas company shall be fifty thousand dollars, divided into shares of twenty-five dollars each; to be organized and governed as provided for in the general act of incorporation of gas and water companies, approved the eleventh day of March, one thousand eight hundred and fifty-seven, and be subject to all the restrictions and provisions, together with all the immunities, contained in said act. Capital stock. Subject to.

SECTION 3. All acts or parts of acts heretofore passed, conflicting with the provisions of this act, are hereby repealed. Repeal.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

JNO. CRESSWELL, JR.,  
*Speaker of the Senate.*

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.



No. 712.

## A N A C T

To incorporate the Drivers' Beneficial Association, number one, of the State of Pennsylvania.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

**Corporators.** William Tapper, A. Vansciver, John Moore, Samuel Coffman, G. W. Moore, and all other persons who now are or hereafter may be associated with them, and their successors, be and they are hereby created and erected into a body politic and corporate,

**Style.** in deed and law, by the name, style and title of the Drivers' beneficial association, number one, of the state of Pennsylvania, and by that name shall have perpetual succession, and be able

**Powers and privileges.** to sue and be sued, plead and be impleaded, answer and be answered in all the courts of law or equity within this commonwealth and elsewhere; and also to be able to take and hold to them and their successors, either by grant, gift, devise, lease, absolute purchase, any lands or real estate for the purpose of erecting thereon any buildings for the use of said association; and also to take and hold, for the use of said association, any goods and chattles, sum or sums of money, by gift, grant, bargain and sale, will, devise, bequest, loan, stock, or otherwise, from any person or persons whatsoever, capable of making the same, and the same at their pleasure to grant, bargain and sell for the use of said association, and generally to perform all and singular the matters and things which may be lawful for them so to do and to perform, for the well being and management of the affairs of said association: *Provided*, That the real estate, of which the said corporation shall at any time be possessed, shall not exceed the yearly income of two thousand dollars:

**Proviso.**

**Proviso.** *And provided further*, That all property, whether real, personal or mixed, now owned by said association and held by trustees for the use of said association, be and the same is hereby transferred and vested in the said corporators, their associates and successors, and for the purpose herein mentioned.

**SECTION 2.** That it shall be lawful for the said corporation to have a common seal, and the same to change, alter and renew at pleasure; and shall have and exercise all the rights and privileges necessary for the purpose of the corporation hereby constituted; and shall have power and authority to make by-laws, conformable to this charter, and not in violation of the laws of this commonwealth or of the United States.

W. C. A. LAWRENCE,

*Speaker of the House of Representatives.*

JNO. CRESSWELL, JR.,

*Speaker of the Senate.*

APPROVED—The nineteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.



No. 713.

## A N A C T

To regulate the building of Powder Magazines, and the deposit of Powder therein, within the county of Dauphin.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be unlawful for any person to erect or maintain a powder magazine within two miles of any incorporated city or borough in the county of Dauphin, in which there shall be deposited, at any one time, more than five kegs of powder; and any one offending against the provisions of this act shall be deemed guilty of a misdemeanor, and being duly convicted thereof, in the court of quarter sessions of said county, shall be punished by a fine of not less than one hundred dollars nor more than five thousand dollars, at the discretion of the court; the same to be for the use of any person injured thereby, and if no one is injured, then for the use of the common schools of said county.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

JNO. CRESSWELL, JR.,  
*Speaker of the Senate.*

APPROVED—The twenty-ninth day of June, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER

No. 714.

## A N A C T

Relative to the collection of Militia Taxes in the county of Washington.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the treasurer of the county of Washington is hereby authorized to retain, out of any militia fines or commutation money collected and disbursed by him, five per centum of the same, in

addition to the one per centum now allowed by law, for the receipt and disbursement thereof.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

JNO. CRESSWELL, JR.,  
*Speaker of the Senate.*

APPROVED—The eleventh day of August, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

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No. 715.

## A N A C T

To incorporate the Pennsylvania Fiscal Agency.

**SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

**Commissioners.** Samuel J. Reeves, Ellis Lewis, Garrick Mallory, Duff Green, David R. Porter, Jacob Ziegler, Charles M. Hall, Horn R. Kneass, Robert J. Ross, William T. Dougherty, Isaac Hugus, C. M. Reed, William Workman, Asa Packer, Jesse Lazear, C. S. Kauffman, C. L. Ward and Henry M. Fuller, be and they are hereby appointed commissioners to receive subscriptions and to organize

**Style.** a company, by the name and style of the Pennsylvania Fiscal Agency; and the owners of the shares herein authorized to be issued, when the company is organized, shall, under the name and style aforesaid, have perpetual succession; and may purchase, hold and acquire, by any lawful means, estate, real and

**Powers and privileges.** personal, and the same may use, sell, lease, let, mortgage, transfer and convey, and otherwise dispose of; and may sue and be sued, plead and be impleaded, contract and be contracted with; and have and use a common seal, and the same may change at pleasure; and may make by-laws and regulations for the government of their affairs, and may have and use all the rights, powers and privileges which are or may be necessary for them to have as a company incorporated for the purposes herein stated:

**Proviso.** *Provided,* That the said company shall not at any time hold, in this state, more land than may be requisite for the convenient transaction of their business.

**Purpose and object.** **SECTION 2.** That the purpose of this act is to organize an incorporated company, and to authorize them, as such, to become an agency for the purchase and sale of railroad bonds and other securities, and to make advances of money and of credit to railroad and other improvement companies, and to aid in like manner contractors and manufacturers, and to authorize them, as a

company, to make all requisite contracts, and especially to receive and hold, on deposit and in trust, estate, real and personal, including the notes, bonds, obligations and accounts of states, and of individuals, and of companies, and of corporations, and the same to purchase, collect, adjust and settle, and also to sell and dispose thereof, in any market in the United States or elsewhere, without proceeding in law or in equity, and for such price and on such terms as may be agreed on between them and the parties contracting with them, and also to endorse and guarantee the payment of the bonds and the performance of the obligations of individuals, and of corporations, and of companies.

SECTION 3. That the capital stock of said company shall consist of fifty thousand shares, of one hundred dollars each; and the commissioners aforesaid, or a majority of them, may, in person or by proxy, open books of subscription at such times and places as they deem expedient, and when five thousand shares shall have been subscribed, and five per centum thereon shall have been paid in, the shareholders may elect five or more directors; and the directors of the said company, when it shall have been organized, may and they are hereby authorized and empowered to have and exercise, in the name and behalf of the company, all the rights, powers and privileges which are intended to be herein given; and may, from time to time, increase their resources by borrowing money on a pledge of their property, or without such pledge, or by new subscriptions, not exceeding fifty thousand shares; and any citizen or subject, company or corporation, of any state or country, may subscribe for, purchase and hold shares of the said company, with all the rights, and subject only to such liabilities as other shareholders are subject to; which liabilities are no more than for the payment to the company of the sums due or to become due on the shares held by them; and when new subscriptions are made, the shares may be issued at par, or sold for the benefit of the holders of the shares theretofore issued.

SECTION 4. That the by-laws shall prescribe the manner in which the officers and agents of the company shall be chosen, and designate their powers and duties, and their terms of service, and compensation; and the principal office of the company shall be in the city of Philadelphia; but the directors, under such rules and regulations as they may prescribe, may establish branches and agencies in Europe and elsewhere, and may deal in exchange, foreign and domestic; but the said company shall not exercise the privilege of banking, nor issue their own notes or bills to be used as bank notes or as currency.

SECTION 5. That three-fifths of the directors of the said company shall be citizens of the United States, and a majority of the whole shall reside in this state.

SECTION 6. That the said company shall pay to the state treasurer, for the use of the state, a bonus of one-half of one per centum on the sum requisite to be paid in previous to the organization, payable in four equal annual instalments, the first payment to be made in one year after the payment on the capital stock shall be made, and also a like bonus on all subsequent payments on account of the capital stock of the said company, or any increase thereof, payable in like manner; and in addition

Capital stock.

Opening books of subscription.

Election of directors.

May borrow money, &c.

Who may subscribe for stock.

Officers and agents, how chosen, powers of, &c

Location of principal office.

May establish branches.

Not to exercise banking privileges.

Qualification of directors.

Bonus.

Tax on dividends to such bonus, shall pay such tax upon dividends, exceeding six per centum per annum, as is or may be imposed by law.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

JNO. CRESSWELL, JR.,  
*Speaker of the Senate.*

APPROVED—The first day of November, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

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No. 716.

## AN ACT

Relating to the Susquehanna and Waterford Turnpike Road, in Clarion, Jefferson and Clearfield counties.

### Preamble.

WHEREAS, By virtue of an act of general assembly, approved the sixth day of April, A. D. one thousand eight hundred and fifty-nine, the corporate powers of the Susquehanna and Waterford turnpike road company have been repealed, without any sufficient provision being made for keeping said road in suitable repair for traveling; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

Courts of quarter sessions to incorporate companies to take charge of road.

the several courts of quarter sessions of the counties of Clarion, Jefferson and Clearfield, or any two judges thereof, are authorized and empowered, upon petition, to incorporate, in the said counties, respectively, a company to take charge of that portion of said turnpike road which passes through the said county; which said companies, when incorporated, are hereby invested with all the powers, rights, privileges and franchises, and subject to all the restrictions and liabilities of the said turnpike road company within the limits of the respective counties.

Powers and rights.

Company incorporated by the county of Clarion to re-build bridge, &c.

SECTION 2. That the company incorporated in and for the county of Clarion, is hereby authorized to re-build the bridge across the Clarion river, where said turnpike road crosses said river, with all the rights, powers, privileges and franchises, and subject to the same restrictions and liabilities of the company which originally erected said bridge.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

JNO. CRESSWELL, JR.,  
*Speaker of the Senate.*

APPROVED—The sixth day of December, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

No. 717.

## A N A C T

Relative to Reserved Tracts or Out-Lots of the borough of Franklin.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the proviso in the third section of the act, entitled "An Act to revive and continue in force the law graduating lands upon which purchase money is due the commonwealth, and regulating the mode of charging interest thereon," approved the nineteenth day of March, Anno Domini one thousand eight hundred and fifty-eight, shall be so construed as to permit the reserved tracts therein mentioned, which shall have been or may hereafter be rated in the fourth class as number four, to be patented upon the payment of twenty cents per acre, with the patenting fee, without interest, until the said first day of December, Anno Domini one thousand eight hundred and fifty-nine.

W. C. A. LAWRENCE,  
*Speaker of the House of Representatives.*

JNO. CRESSWELL, JR.,  
*Speaker of the Senate.*

APPROVED—The ninth day of December, Anno Domini one thousand eight hundred and fifty-nine.

WM. F. PACKER.

## CERTIFICATE.

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SECRETARY'S OFFICE,

*Harrisburg, May 15, 1860.*

I CERTIFY, that in obedience to the directions of an act of the General Assembly of the Commonwealth of Pennsylvania, I have collated with and corrected by the original rolls on file in this office, the proof sheets of the printed copies of this edition of the Laws and Resolutions of the General Assembly, passed during the session ending the third day of April, 1860, including an APPENDIX, containing laws passed at the sessions of 1854, 1858 and 1859, upon which the tax has been subsequently paid.

WM. M. HIESTER,  
*Secretary of the Commonwealth.*



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